

City of Frankfort

Capital of Kentucky

Mayor

William I. May, Jr.

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Commissioners

John R. Sower

Scott Tippet

Katrisha Waldrige

Eric E. Whisman

October 6, 2020

To: Architectural Review Board

From: Jordan Miller, Senior Planner

Re: Meeting – October 20, 2020

There will be a meeting of the Architectural Review Board held at 5:00 P.M. on Tuesday, October 20, 2020 via teleconference in accordance with SB 150 and the requirements of KRS 61.823. ARB Board members, Planning Staff and Applicants will participate in the meeting using teleconferencing and the meeting will be live streamed in accordance with the statutory requirements. The meeting will be live streamed on the City's Facebook page: <https://www.facebook.com/CityofFrankfortKY/>. The following items are on the agenda for consideration (please be aware that because this will be a special called meeting the board may not discuss items that are not on the agenda as advertised):

ROLL CALL

APPROVAL OF MINUTES: September 15, 2020

OLD BUSINESS:

1. In accordance with Articles 4, 17, 18, and 19 of the City of Frankfort Zoning Ordinance, Dominique L. Wilson d/b/a New Life Counseling Services LLC, is requesting a Conditional Use Permit in order to allow a major home occupation with counseling and behavioral health services for the property located at 522 Steele Street. The property is more particularly described as PVA Map Number 062-14-01-008.00. *(Item tabled form previous meeting)*
2. In accordance with Articles 4 and 17 of the City of Frankfort Zoning Ordinance, Southern Acquisitions LLC is requesting a Certificate of Appropriateness to paint unpainted masonry for the property located at 401 Murray Street. The property is more particularly described as PVA Map Number 062-31-26-015.00. *(Item tabled form previous meeting)*

NEW BUSINESS:

1. In accordance with Articles 4 and 17 of the City of Frankfort Zoning Ordinance, First Corinthian Baptist Church is requesting a Certificate of Appropriateness to relocate or demolish the existing structure (single family dwelling) and construct an attached community center to the existing church and a conditional use permit to expand the existing church for the property located at 214

Murray Street and 216 Murray Street. The property is more particularly identified as PVA Map Number 062-31-14-010.00 and 062-31-14-009.00. *(Pulled by Staff)*

2. In accordance with Articles 4 and 17 of the City of Frankfort Zoning Ordinance, Jason Delambre is requesting a Certificate of Appropriateness to construct a two-story porch addition and modify an existing window opening for the property located at 114 Shelby Street. The property is more particularly described as PVA Map Number 062-31-01-007.00.
3. In accordance with Articles 4, 16, and 17 of the City of Frankfort Zoning Ordinance, Bourbon on Main LLC is requesting a Certificate of Appropriateness to construct a covered porch on the back patio for the property located at 103 West Main Street. The property is more particularly described as PVA Map Number 061-42-09-009.00.
4. In accordance with Articles 4 and 17 of the City of Frankfort Zoning Ordinance, Joseph M. Fraley and DC & Marion Fraley are requesting a Certificate of Appropriateness to construct a driveway for the property located at 7 Lyons Court. The property is more particularly described as PVA Map Number 062-14-04-022.00. *(Pulled by Staff)*

ADJOURN

**Staff reports for these items may be available seven (7) days prior to the meeting on the Planning Department webpage at www.frankfort.ky.gov/planning. Additional information may also be obtained by calling 502-352-2097 during business hours, Mondays through Fridays, 8:00 a.m. to 4:30 p.m. Anyone wishing to submit comments on any of the items on the agenda may submit comments via e-mail to jmiller@frankfort.ky.gov anytime before 12:00pm October 20, 2020.*



ARCHITECTURAL REVIEW BOARD

September 15, 2020

5:00 PM

PATTI CROSS, PRESIDING

Members Present:

Irma Johnson
Jennifer Oberlin
Patti Cross
Nicole Konkol

Also Present:

Edwin Logan, Attorney
Jordan Miller, City of Frankfort Senior Planner

The first item of business was the approval of the minutes of the August 18, 2020 meeting. Ms. Konkol made a motion to approve the minutes. The motion was seconded by Ms. Oberlin and all were in favor.

Ms. Konkol made a motion to move the second item of business to the first item of business. The motion was seconded by Ms. Oberlin and all were in favor.

Chair Cross asked the Secretary to introduce the next item of business.

In accordance with Articles 4 and 17 of the City of Frankfort Zoning Ordinance, Southern Acquisitions LLC is requesting a Certificate of Appropriateness to paint unpainted masonry for the property located at 401 Murray Street. The property is more particularly described as PVA map Number 062-31-26-015.00.

Jordan Miller, City of Frankfort Senior Planner was present and explained that this is a three-story apartment building with brick veneer. He mentioned that the applicants recently acquired this property and they would like to paint the currently unpainted masonry. Mr. Miller stated that this is a non-contributing structure and recommended approval with the conditions as outlined in the staff report.

Ms. Konkol asked if they were going to paint the entire building and Mr. Miller replied yes. Ms. Konkol asked if there was a reason they recommended acrylic latex paint instead of a mineral based paint. Mr. Miller stated they did some research and looked at the mural guidelines and found that this was the best option for the brick veneer.

Ms. Johnson asked if the building would be painted white and Mr. Miller replied that he was not sure but he anticipates something bright and vibrant.

The applicant was not present.

Mr. Miller mentioned that if the Board wanted they could strike condition number three and replace it with the applicant shall work with staff to find the best type of paint to use.

Ms. Konkol stated that she did some research and she couldn't find anything about painting modern brick. Mr. Miller replied that he didn't find anything related to modern brick either and that most of what he found was related to older buildings with older brick.

Ms. Johnson asked if they were only painting it for their own enjoyment and not for sealing it and Mr. Miller replied yes.

Ms. Oberlin made a motion in accordance with Articles 4 and 17 of the City of Frankfort Zoning Ordinance, to approve the request from Southern Acquisitions LLC for a Certificate of Appropriateness to paint unpainted masonry for the property located at 401 Murray Street with the following conditions:

1. A building permit shall be obtained prior to work commencing on the proposed project.
2. Any additional project requiring a building permit or modifications to the proposal shall require review and approval by the Architectural Review Board unless a Certificate of No Exterior Effect is issued.
3. Staff should work with the Consultant to determine the ideal paint.

The motion failed for lack of a second.

Chair Cross asked the Secretary to introduce the next item of business.

In accordance with Articles 4, 17, 18, and 19 of the City of Frankfort Zoning Ordinance, Dominique L. Wilson d/b/a New Life Counseling Services LLC, is requesting a Conditional Use Permit in order to allow a major home occupation with counseling and behavioral health services for the property located at 522 Steele Street. The property is more particularly described as PVA Map Number 062-14-01-008.00.

Ms. Cross mentioned that there were going to be some public comments related to this item and those comments are limited to five minutes each.

Jordan Miller, City of Frankfort Senior Planner was present and mentioned that the applicant has been working with staff over the past couple of months trying to find a way to get this Conditional Use Permit. Mr. Miller explained that at first it was just going to be professional offices but now they are requesting a major home occupation where the applicant will be the only one practicing at this counseling therapy clinic. They are also going to be living there on the second floor during the week.

Ms. Miller stated that staff had a mixture of positive and negative findings but in the end there was nothing that precluded them outright to deny the request. Staff made a number of conditions in the recommendation of approval in hopes to assuage the concerns of the surrounding property owners.

Ms. Oberlin asked if it was two or six off street parking spaces and mentioned that she didn't see any of that type detail in the request. Mr. Miller replied that four parking spaces are required and that two parking spaces could be accommodated on street and staff felt two additional parking spaces could be accommodated along Coleman Avenue. Mr. Miller stated that there is also the option of a pull off area and a parking space in the back yard.

Mr. Logan asked if the second floor was to be residential would it be owner occupied or leased. Mr. Miller stated that it would be the residence of the owner.

The applicant Dominique Wilson was present and stated that she lives in Lexington but fell in love with the architectural style of this building and she also loves what she does. She said she does behavioral health, mental health, substance abuse counseling, noting that she sees clients all over the state of Kentucky especially now that they are doing Telehealth due to Covid. Her goal is to help service people in our area.

Ms. Cross asked if she had read all sixteen conditions that are recommended for approval and asked if she was okay with all of them. Dr. Wilson asked if something were to happen and she were to become incapacitated would another therapist be able to take her spot. Mr. Logan replied that would not be permitted because the permit is issued specifically to her. He explained that a new applicant would have to apply for and be granted approval.

Dr. Wilson asked if she could have an office administrator who could handle calls and make appointments while she was with clients. Mr. Miller replied that according to the regulations she would be permitted one non-resident staff person. Mr. Miller stated they could amend condition number fifteen to include one non-resident staff person.

Dr. Wilson mentioned condition number five concerning the sign and asked what that meant. Ms. Cross replied that it meant the sign would have to be attached to the house and no yard signs would be allowed.

Ms. Johnson asked Dr. Wilson if she could explain the parking in the back. Dr. Wilson replied that after seeing the property again she thinks only two spots could be located in the back.

Stephen Stosberg of 523 Steele Street wanted to know the sizes of the parking spaces. Mr. Miller replied that the typical space is 9' x 18' and he recommended that paver be put down. Mr. Stosberg mentioned that he just went over there with his tape measurer and there is not enough space in the front for two parking spaces that size.

Mr. Stosberg also mentioned the fact that now there could be two staff members on site taking up two of the required parking spaces. He mentioned that he is concerned about the overflow and about parking is such a tight area. He also asked if the project would require a handi-cap parking space. Mr. Miller replied that he and Public works visited the site and while they weren't thrilled about additional parking they thought they might be able to get spaces along Coleman Avenue. He mentioned that it is proposed to have two parking spaces along Steele Street but as the Mr. Stosberg pointed out it would be tight. Mr. Miller stated that there is a handi-cap ramp on the property that leads up to the front day. He stated that he would be willing to work with Public Works about creating a handi-cap spot if the request is approved. Mr. Stosberg stated that if you provide a handi-cap spot there then you would be taking away a normal parking spot in an area that already has limited parking.

Allison Parker of 523 Steele Street was present and wanted to echo Mr. Stosberg's comments. Ms. Parker stated that Coleman Avenue is not a one-way street but that it is very tight and areas where two cars can't pass on the street at the same time. She mentioned there is a blind spot in the area and that Steele Street dead ends onto two one-way streets so you will have constant turn arounds, u-turns and more traffic on Coleman Avenue. She is concerned about loitering on the property because she is raising a one year old child that she wants to keep protected. Ms. Parker asked if the Board received the letters and comments that they sent to staff. Ms. Cross stated that the Board did receive all of those items and they would be added to the record.

Jill Robinson of 526 Steele Street was present and stated that she lives about 4' from the building and she is very familiar with the property. She was concerned about the hours of operation, she stated that it is until 9:00 p.m. and there are no stipulations about hours of operation on the weekend. She mentioned that if they are doing the DUI thing there may be a lot of pick up and drop off situations creating additional traffic.

Ms. Robinson stated that her biggest concern is that her back yard sits below this property. She said if you go down Coleman Avenue and look into the proposed parking area in the back yard it has a grade of maybe 40% and she has spent a great deal of money trying to control the water in her own back yard. Ms. Robinson stated that it is a small alley and there are site distance problems.

Ms. Robinson stated that she understands what Dr. Wilson is trying to do and she knows of the need based on her experience working with the women's shelter but she is not sure this is the right place for the business.

Lucian Parker of 527 Steele Street said that twenty three people signed a petition against this request. He mentioned that there are structural problems on the outside, noting that the deck looks as if it might fall and that the handi-cap ramp is not safe, there are weeds growing out of the gutters and broken windows. He stated that he and his daughter have been working on their homes and have been cited by the City for some of the same things yet she has owned the property for some time and made no improvements. He stated that he would like to see this application denied or tabled until some of the issue could be resolved.

David Pritchard of 523 Quarles Court which adjoins Coleman Avenue was present and mentioned that he supports the mission but does not think this is the best location for it.

Mr. Pritchard mentioned that the staff report and the Home Occupation Guidelines that a home occupation is an accessory use which is incidental for residential purposes. He stated that if Dr. Wilson is choosing to stay at this residence just so she can operate this business that is not incidental.

Mr. Pritchard stated that another concern is the traffic and it complicating an already dangerous area with people speeding and such.

Mr. Pritchard was also concerned about who would enforce a lot of the conditions. Mr. Miller replied that when the applicant applies for a building permit she will be required to list the number of employees on the application and that would be binding. Mr. Miller stated that if the conditions were violated they could be enforced.

Dr. Wilson stated that her main practice is behavioral health and she would be willing not to operate the DUI portion of her business at this location and limit clients to one at a time. She stated that instead of having another staff person she could forward those calls to the admin offices in Lexington.

Mr. Logan asked that as part of the conditions of approval did she say she was willing to not operate the DUI portion as this business. Dr. Wilson replied yes, she would wipe that from the list of services offered at this location.

Ms. Oberlin stated that it should also say there would be no group discussions and not just specify one group.

Ms. Konkol stated that she read everything that was submitted for public comment and there several recurring concerns which included adverse affects on the surrounding property, loss of green space and traffic flow. In one of the letters there were several recommendations such as traffic studies and providing documentation of how this would work. She was in favor of asking the applicant to limit visit to one on one sessions with no other staff as well as removing he

DUI program. She wondered if it would be possible to accumulate some of the additional information requested by other residents and neighbors and address this again when this information is available.

Ms. Oberlin stated that she would like to see something from Public Works stating that parking along Coleman could work.

Ms. Johnson also stated that she was concerned about parking on the alley as well as parking on the property. She mentioned after visiting the location she thinks considerable grade work would need to be done in order to create a level entrance for parking on the rear of the property.

Ms. Johnson asked when the last time the property was occupied and Ms. Robinson replied that the property has been empty for probably 10 years but she has not been able to get the City to list it as abandoned property.

Ms. Logan mentioned since they are going to ask Public Works to provide additional information about parking if Mr. Miller could ask the City Engineer to take a look at the rear of the property to see if there are concerns or recommendations they have with regard to drainage onto other property. Mr. Miller and the Board agreed.

Ms. Konkol made a motion table the item to allow for the accumulation of additional information regarding the site grade, parking, safety issues and the willingness to limit the number of clients to one on one could be gathered. The motion was seconded by Ms. Johnson and passed unanimously.

There being no other business, Ms. Oberlin made a motion to adjourn. The motion was seconded by Ms. Johnson and all were in favor. The meeting adjourned at 6:02 pm.

401 Murray Street

Special Capital Historic District

Southern Acquisitions LLC, Owner/Applicant

Request

In accordance with Articles 4 and 17 of the City of Frankfort Zoning Ordinance, Southern Acquisitions LLC is requesting a Certificate of Appropriateness to paint unpainted masonry for the property located at 401 Murray Street. The property is more particularly described as PVA Map Number 062-31-26-015.00.

Description of Proposal

The subject property is located at the southeastern corner of Murray Street and East Fourth Street. It features a three-story brick veneer structure with a concrete block foundation that was constructed in 1975. The applicant has recently acquired the property and would like to paint the currently unpainted masonry. The applicant will also be remodeling the interior of all the apartments and cleaning up the exterior of the property.

Staff has discussed the project with the City's historic preservation consultant. Her response was the following and is also contained at the end of this report.

Given that your design guidelines do not differentiate between contributing and non-contributing buildings, I would stick with the principle – which is that unpainted brick buildings should remain unpainted.

Type of paint should not really enter into the equation because painting masonry buildings is generally always something to be avoided. That said, painting is considered a temporary change by many local historic districts and is not regulated – especially on a non-historic building like this one. (October 6, 2020)

The Architectural Review Board has approved the painting of unpainted masonry in June 2010 on non-contributing property located at 119 West Main Street, which is in the Central Business District, an arguably more sensitive district.

Significance of Structure

The property is non-contributing to the South Frankfort National Historic District.

City of Frankfort Zoning Regulations

17.10.1 MASONRY

17.10.1 MASONRY

H. Sealants, such as water repellent coatings, shall not be used unless there is actual water penetration through the masonry units themselves, and the problem is not caused by faulty or missing mortar, poorly functioning gutters and downspouts, or rising ground water. If water is penetrating through the masonry to interior surfaces, then only the affected area shall be treated, and only after the masonry has been allowed to dry. Paint is more permanent and provides a good measure of waterproofing to masonry walls. Painting is recommended for building in the Special Capital Business zone district that have been previously painted.

Staff finding: Positive and Negative. Since the building retains the unpainted masonry finish, the request to paint the masonry is not consistent with this guideline. Furthermore, the applicant has not provided any information concerning the need for waterproofing and staff is not aware of actual water penetrating the building. Additionally, the Kentucky Historic Façade Rehabilitation Guidelines (September 2003) note the following pertaining to masonry, "Do not paint masonry that has never been painted unless it is required to protect the deteriorated surface of the masonry."

However, this is a non-contributing building to the district and painting it should not detract from the overall integrity of the district. Numerous building in the Central Business District, notably along West Broadway, are painted masonry. This Board has approved the painting of unpainted masonry on a non-contributing building in June 2010 for property located at 119 West Main Street, setting a precedent for this Board.

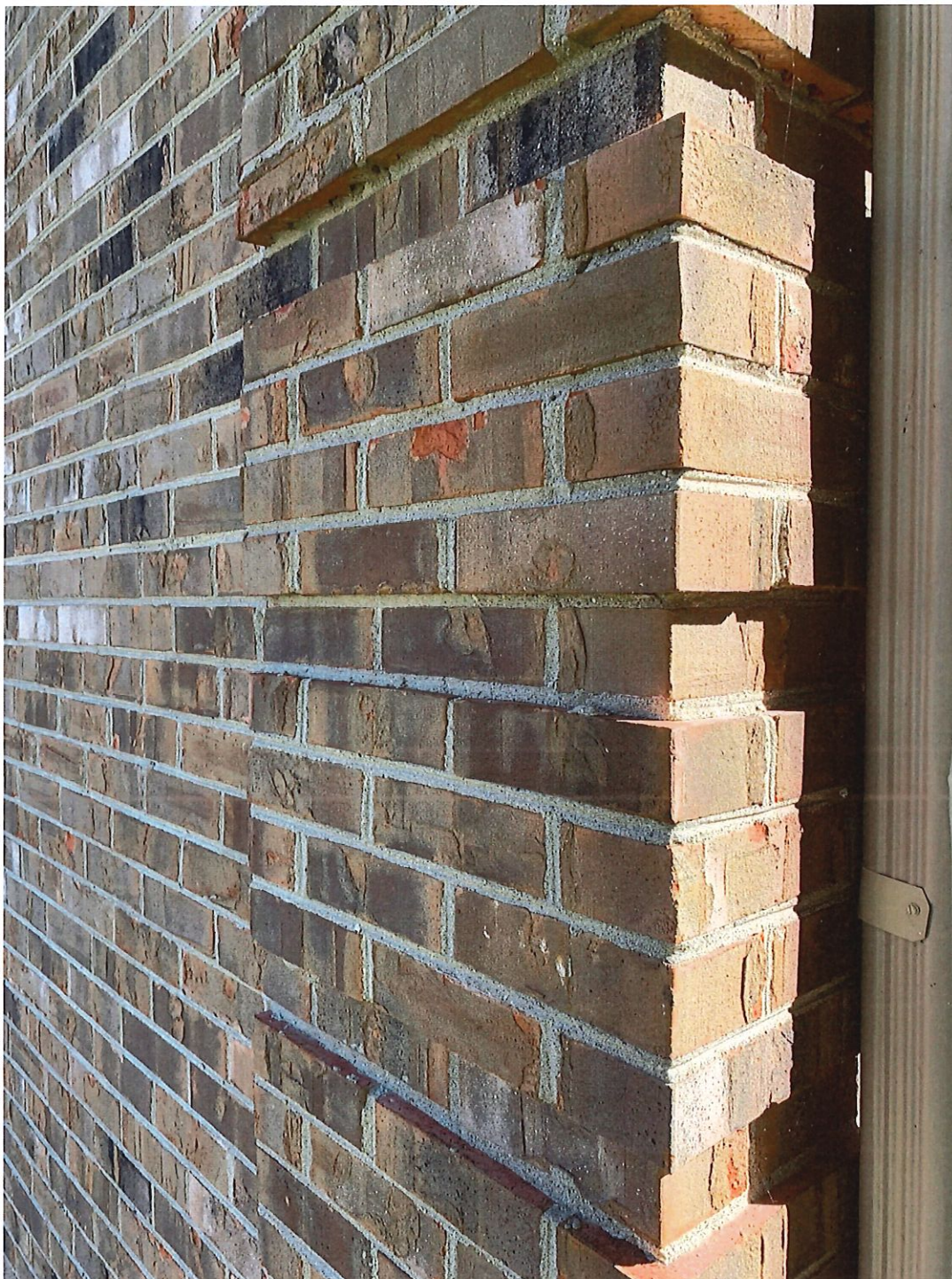
Recommendation

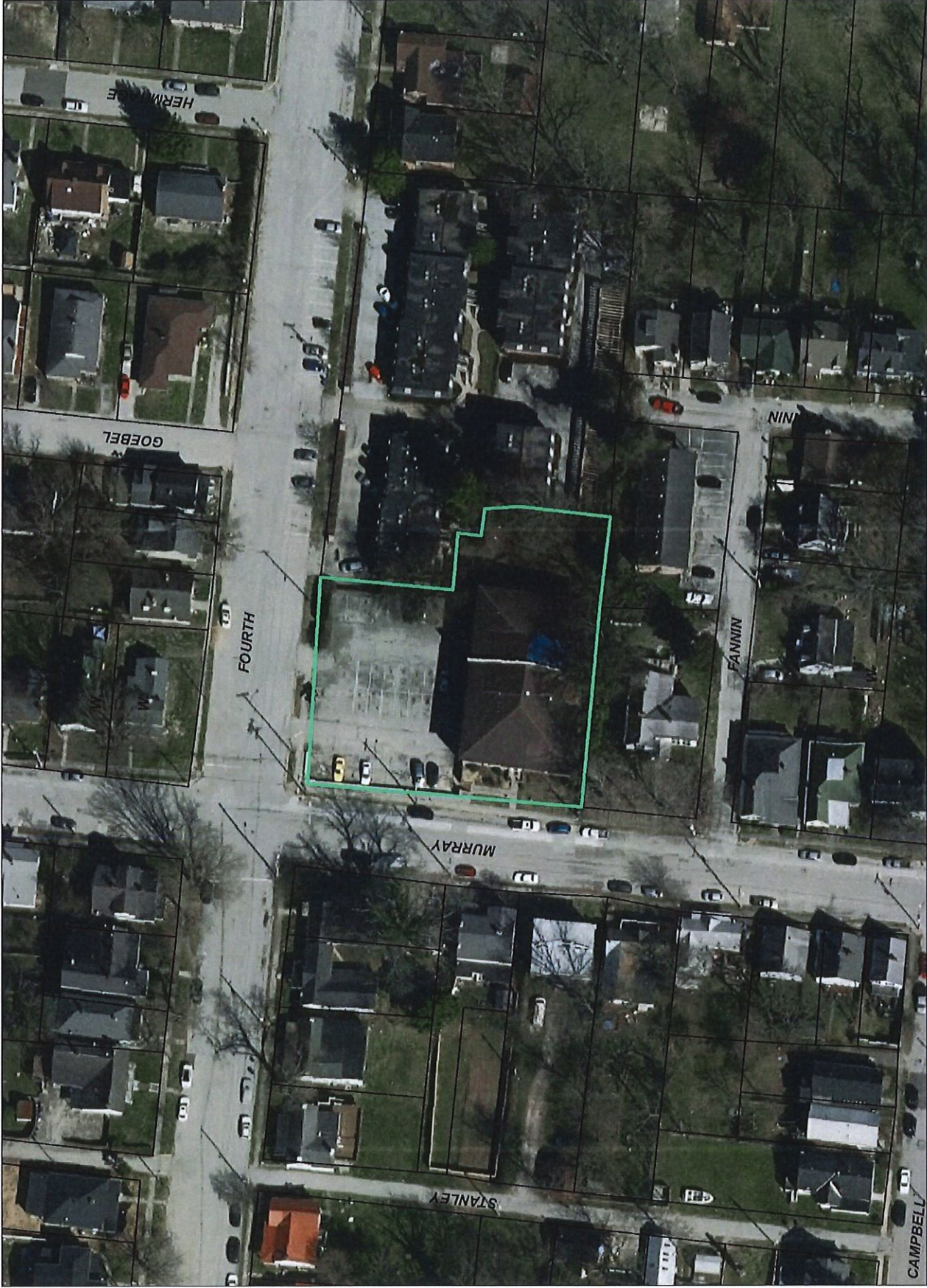
Staff recommends approval of the Certificate of Appropriateness with the following conditions.

1. A building permit shall be obtained prior to work commencing on the proposed project.
2. Any additional projects requiring a building permit or modifications to this proposal shall require review and approval by the Architectural Review Board unless a Certificate of No Exterior Effect is issued.
3. The brick shall be cleaned using the gentlest means possible before it is painted.









0 75 150 Feet

Jordan Miller

From: Janie-Rice Brother <JBrother@palmernet.com>
Sent: Tuesday, October 6, 2020 9:14 PM
To: Jordan Miller
Subject: (EXTERNAL)RE: Paint Question

Jordan,

Given that your design guidelines do not differentiate between contributing and non-contributing buildings, I would stick with the principle – which is that unpainted brick buildings should remain unpainted.

Type of paint shouldn't really enter into the equation because painting masonry buildings is generally always something to be avoided. That said, painting is considered a temporary change by many local historic districts and is not regulated – especially on a non-historic building like this one.

I hope this helps!

Janie-Rice

Janie-Rice Brother
Senior Architectural Historian



400 Shoppers Dr.
Winchester, KY 40392
859-744-1218

From: Jordan Miller <jmiller@frankfort.ky.gov>
Sent: Tuesday, October 6, 2020 2:44 PM
To: Janie-Rice Brother <JBrother@palmernet.com>
Subject: Paint Question

(INTERNAL)

Janie-Rice,

What would be the most appropriate type(s) of paint to use on an unpainted brick veneer building constructed in 1975? The building is a non-contributing structure to the South Frankfort National Historic District. We have a case appearing before the ARB in a few weeks concerning this request. Here's an image of the building:

522 Steele Street

Special Capital Historic District

Dominique L. Wilson, Owner/Applicant

Request

In accordance with Articles 4, 17, 18, and 19 of the City of Frankfort Zoning Ordinance, Dominique L. Wilson d/b/a New Life Counseling Services LLC, is requesting a Conditional Use Permit in order to allow a major home occupation with counseling and behavioral health services for the property located at 522 Steele Street. The property is more particularly described as PVA Map Number 062-14-01-008.00.

Description of Proposal

The subject property is located at the southern corner of Steele Street and Coleman Avenue. Prior to the applicant's purchase of the property in October 2017, the home remained vacant for some time and was owned by an estate. It was frequently blighted, had numerous code enforcement infractions, and was fined/liens several thousands of dollars due to these issues. The only recorded use associated with this property is as a single-family dwelling, according to records on file in the Planning Department.

The applicant is requesting a conditional use permit to operate a major home occupation. The applicant proposes to use the first floor of the building (1,104-sq.ft.) as her solo practice that provides counseling and behavioral health services, and to use the second floor of the building (1,104-sq.ft.) as their personal residence during weekdays when she sees patients. The applicant's current mailing address is in Lexington, KY, where she has an existing outpatient behavioral health and substance abuse practice.

The applicant had initially proposed to utilize the entire structure as a professional office use in which other counselors worked at the practice at this location. After conferring with Staff about the issues with that request, the applicant has amended their request to a major home occupation.

According to the applicant's attached letter, the applicant's business will provide services that involve various treatment concerns such as anxiety, depression, behavioral, and mood disorders. Counseling session generally run 45-60 minutes in duration. The applicant also has a DUI program that provides DUI offenders with court-ordered classes and outpatient treatment, which consist of six 3-hour sessions and one 2-hour sessions, depending on client need. The applicant does not provide medication assistance treatment or other forms of treatment that are used to wean clients off of substances. The applicant states that their treatment population is 90% behavioral health and 10% substance abuse, and most of the clients are voluntary (sought treatment on their own accord).

The applicant is also proposing to add off-street parking (two spaces) in the rear yard behind the structure, along Coleman Avenue.

The Sewer Department has reviewed this request. Their comments are as follows and are contained at the end of this report.

There is a 12" sewer line in the back yard but that does not prohibit them from paving and adding parking. They will need to call 811 before any digging or grading can be completed. (September 17, 2020)

The property has an existing 12" sanitary sewer lateral from 526 Steele Street that is located in the center of the property. FSD will begin field investigation to determine if this is a private lateral servicing 526 or a community lateral servicing multiple properties. (September 22, 2020)

We have verified that the common lateral does connect to our sewer system. The property owner needs to protect the common lateral during construction or provide alternate laterals for their property and neighbor. (October 13, 2020)

Public Works/City Engineer has reviewed this request. Their comments are as follows and are contained at the end of this report.

At this location I think the biggest concern would be stormwater running onto this property from the road. She'd want to make sure anything she installs is sloped such that it isn't carrying water directly off the street toward her house. Pavers or gravel would help her out some.

We don't have any stormwater structures on or bordering that side of the property

FSD does have a combined sewer line running directly through the area. Not sure how they'd feel about the proposal. (October 12, 2020)

Significance of Structure

The property is contributing to the South Frankfort National Historic District.

City of Frankfort Zoning Regulations

4.41 SPECIAL CAPITAL DISTRICT

12.01 MINIMUM OFF STREET PARKING REQUIREMENTS

17.10.9 SITE FEATURES

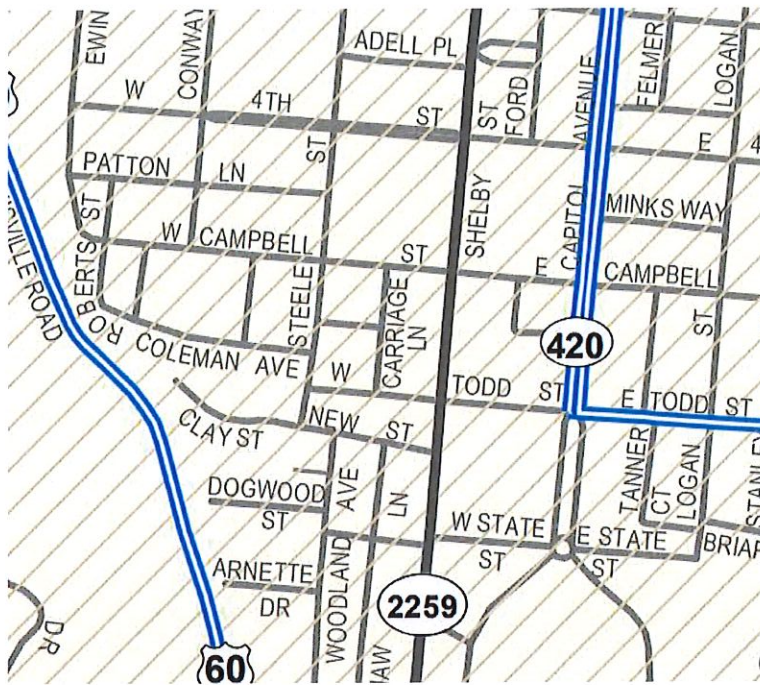
19.01 CONDITIONAL USES

19.07 HOME OCCUPATIONS

19.01 CONDITIONAL USES

19.01 General. Wherever any conditional use is considered by the Board of Zoning Adjustments, the Board shall determine that the following conditions have been met.

- 19.011 That street or road capacity and condition is adequate to serve anticipated additional traffic. **Staff finding: Positive.** Steele Street and Coleman Avenue are classified as local urban roadways by the Kentucky Transportation Cabinet. Steele Street is platted 50' wide, paved asphalt, and in good condition. Coleman Avenue is platted 11' wide, paved asphalt and in good condition. Based upon the applicant's proposed use and intensity of use, Staff believes that these roadways are in adequate condition to serve the traffic generated by this conditional use. Please see a review of Article 12 – Required Parking, later in this report.



Functional Classification

- Interstate; Rural, Urban
- Expressways; Rural, Urban
- Principal Arterial; Rural, Urban
- Minor Arterial; Rural, Urban
- Major Collector; Rural, Urban
- Minor Collector; Rural, Urban
- Local; Rural, Urban
- Local; Paved, Unimproved

- 19.012 That public facilities required are available.
Staff finding: Positive. The property is served with public services including water, sewer, gas, and electric.
- 19.013 That the conditional use proposed is in accordance with the intent of the zoning district within which it will be located.
Staff finding: Positive. The Special Capital District is intended to encourage the renovation, rehabilitation, and preservation of older neighborhoods in Frankfort that have special or unique features or important associations with the City's historical development. While the only permitted uses in this district are single-family dwellings, duplexes, and owner occupied short term rentals, the district does allow for numerous conditional uses including professional offices, light retail sales, multi-family dwellings, community centers, daycares, and major home occupations.
- 19.014 That the proposed use will have no adverse effect upon the adjacent or surrounding property.
- **Staff finding: Positive and Negative.** Steele Street appears to be a mix of single-family dwellings, duplexes, and some multi-family. While this proposal does not exactly meet the existing character of this corridor, the applicant has changed their original proposal from utilizing the entire building as an office with multiple counselors to one that is more residential in character and where she will be the only person at the practice and also reside there.
- 19.015 That appropriate screening or buffering is provided in accordance with Article 7, Landscape Regulations.
Staff finding: No screening or buffering is required as a part of this request.

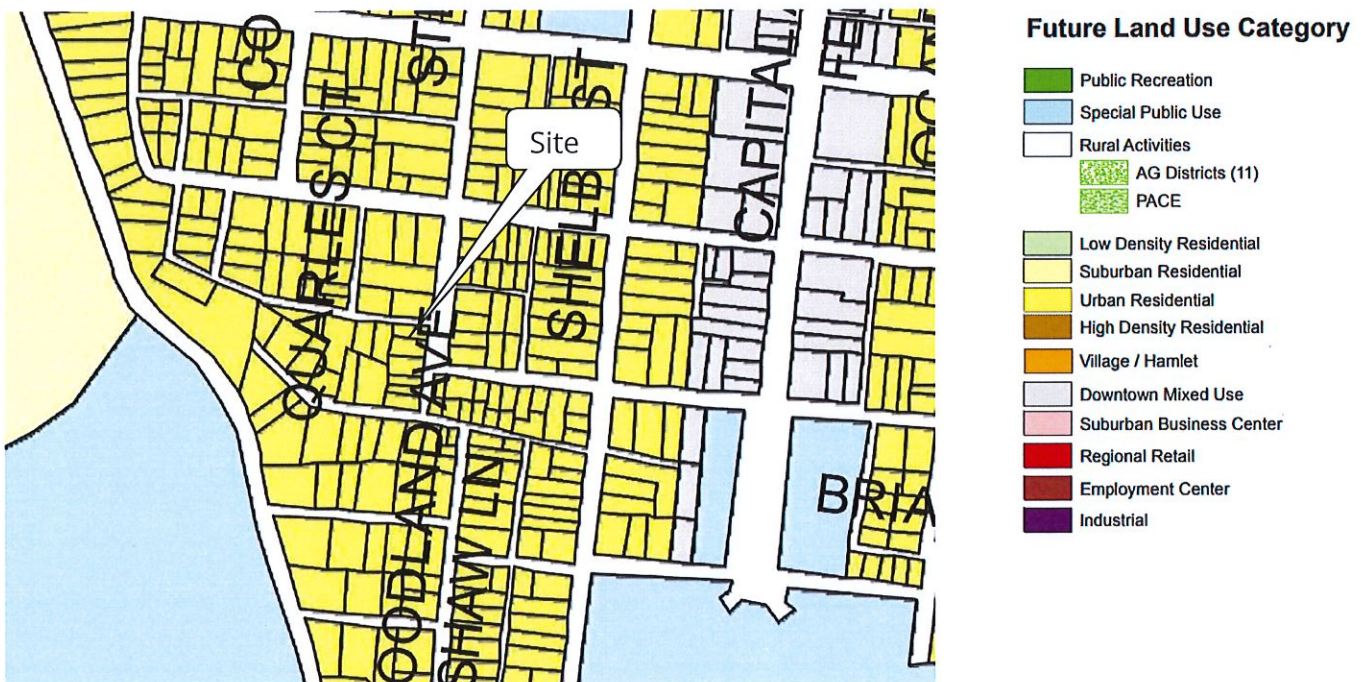
- 19.016 That any sign requirement specified in Article 13 will have been met and that no sign for any conditional use in any residential zoning district exceeds two (2) square feet.

Staff finding: N/A. No signage has been proposed at this time. If signage is proposed it must comply with Section 4.416.A of the zoning ordinance and a sign permit will be required. Said section states, "For any nonresidential use within a residential structure signs are limited to two (2) square feet and shall be mounted flush on the façade of the structure."

- 19.017 That all specific conditions enumerated in this Article Section 19.02 through 19.15 will have been fulfilled.

Staff finding: Positive and Negative. Please find a review of Section 19.07 contained within this report.

- 19.018 That the use and development of land complies with the adopted Comprehensive Plan. Staff finding: The Future Land Use Map of the Comprehensive Plan identifies this property and neighborhood as Urban Residential.



According to the Comprehensive Plan:

Frankfort is fortunate to have several existing urban neighborhoods that are rich with a mixture of housing types and neighborhood commercial services. These neighborhoods are located on grid roadway networks that interconnect a large portion of the Frankfort urban areas. The existing mixture of uses ranging from single family detached housing to duplexes and multi-family housing should be continued with an emphasis on maintaining the existing housing stock and infill development. Where appropriate, neighborhood commercial areas should be continued or created to provide the necessary day-to-day needs of residents within walking distance of their homes.

Land Use Guidelines

- *The primary land uses in Urban Neighborhoods should be single family homes (attached/detached) and duplexes.*
- *Multifamily buildings (condominiums and apartments) are encouraged but should be strategically integrated into the neighborhood. Buildings should be of a scale and character that fits the neighborhood. Large complexes of buildings are not encouraged.*
- *Buildings that include a mixture of residential, office and commercial and that fit the character of the neighborhood may be appropriate.*
- *Limited commercial uses may be appropriate where they will pose minimal impact on surrounding land uses regarding traffic, noise, lighting and other similar elements that create conflicts between land uses.*

Development Guidelines

1. *New development should occur in areas where water and sewer services are served by public agencies and can meet any additional demand.*
2. *No new development shall occur where there is not an adequate water supply and water pressure for fire protection services.*
3. *Emphasis should be placed on developing new neighborhoods in between existing communities with similar characteristics prior to development along the outskirts of the existing urban area. Such in-fill strategies will help minimize the need for infrastructure improvements and will help maintain a handle on urban sprawl.*
4. *Developments should be planned to include neighborhood parks and greenspace that provide amenities to local residents and work toward providing a link with the City's existing parks and recreation in conformance with a park and recreation plan.*
5. *Developers should incorporate the protection of natural resources, including the floodplain, into the development to create unique neighborhoods while protecting the natural environment.*
6. *Development and redevelopment should take into consideration the density and character of the surrounding properties.*
7. *In general, lot sizes should be small with homes set closer to the road.*
8. *Sidewalks should be required on both sides of the street.*
9. *Emphasis should be placed on maintaining the existing housing stock versus total redevelopment that starts with the clearing of existing housing.*
10. *While the primary land use should be single-family detached housing, the City should consider creative reuse of properties for multi-family housing and possibly nonresidential uses.*
11. *The size and scale of all development and redevelopment should reflect the character and style of surrounding uses.*
12. *New development should be compatible, in design, architecture and intensity, with surrounding development.*

South Frankfort Development Guidelines

1. *This area is predominately residential in character and varies in density with limited retail and professional offices that serve the community.*
2. *New infill or the conversion of properties should reflect the scale, setbacks, and character of the neighborhood and utilize materials which complement existing buildings.*
3. *The homogeneity of building and lot characteristics within individual blocks should be preserved.*

4. *New driveways and off-street parking areas are discouraged.*

Staff finding: Positive and Negative. The future land use map of the Comprehensive Plan identifies the subject property as Urban Residential. This land use category specifically identifies the South Frankfort neighborhood as a special sub-category. It notes that this area is predominately residential in character with varied density and limited retail and professional offices that serve the community. The conversion of this property to a major home occupation will not affect the exterior appearance of the building, however parking in the rear will remove some of the existing grassy green area. Yet, the building's occupied use should improve the quality of the property. While two off-street parking spaces will be added, and they are discouraged, they will be constructed of pavers or gravel which should minimize the impact of drainage to adjacent properties.

19.02 Specific Conditions. In addition to the above general conditions the Board shall evaluate the standards and conditions for those uses which follow and for which specific conditions are established.

19.07 HOME OCCUPATIONS

19.071 Purpose and Location

A home occupation is an accessory use which is incidental to the use of the dwelling for residential purposes. Regulations governing home occupations are intended to protect residential districts from commercial encroachment, maintain the character of the neighborhood, prevent an undue increase in traffic or parking problems on local streets but at the same time provide a means for individuals to operate businesses customarily conducted from private homes. Such permits may be granted in any zoning district where residences are permitted.

19.072 Classification

Home occupations will be categorized into two different types: Minor Home Occupations and Major Home Occupations. Minor Home Occupations may be administratively approved provided that the applicant meets all criteria set forth in Section 19.07. Major Home Occupations shall require a Conditional Use Permit by the Board of Zoning Adjustment prior to the issuance of a Business License.

B. Major Home Occupations shall require approval of a Conditional Use Permit from the Board of Zoning Adjustments. In order for the Board of Zoning Adjustments to approve a Major Home Occupation the following conditions must be met:

1. Employees working or meeting at the home occupation site shall be limited to persons who reside in the dwelling unit except that one nonresident employee shall be permitted to be at the site at any one time.

Staff finding: Positive. The applicant has indicated that they will be the only person working this location.

2. No more than two customers, clients or pupils shall be permitted on the site at any one time except that an occupant of a single-family dwelling may provide group or professional therapy for no more than four individuals at one time.

Staff finding: Positive and Negative. The applicant originally indicated they would like to conduct DUI therapy classes at this location, which are usually conducted in

groups. However, at the September 15, 2020 meeting the applicant indicated that they would be willing to do away with group sessions.

3. Any Major Home occupation that accommodates customers, clients or pupils on the site shall not be permitted to operate between the hours of 9 P.M and 7 A.M.

Staff finding: Positive. The applicant will operate between normal business hours and not between 9:00 PM – 7:00 AM.

4. No nonresident employee may work at a home occupation between the hours of 9 P.M and 7 A.M.

Staff finding: Positive. The applicant has indicated that they will be the only person working at this location.

5. The home occupation shall not have more than one non-illuminated sign not exceeding two (2) square feet in area, and this sign shall not be freestanding.

Staff finding: N/A. No signage has been proposed at this time. If signage is proposed it must comply with Section 4.416.A of the zoning ordinance and a sign permit will be required. Said section states, "For any nonresidential use within a residential structure signs are limited to two (2) square feet and shall be mounted flush on the façade of the structure."

6. Deliveries associated with the home occupation shall not be made using tractor-trailers. No more than two commercial deliveries (e.g. UPS, Federal Express, and U.S. Postal Service Express Mail) shall be made in any 24-hour period.

Staff finding: Positive. This proposed use will not utilize deliveries associated with tractor-trailers, and will comply with no more than two commercial deliveries per any 24-hour period.

19.073 Permit

No Business License for a Major Home Occupation shall be issued unless either a Conditional Use Permit has been issued by the Board of Zoning Adjustments for Major Home Occupation or in the case of Minor Home Occupations the applicant has shown that all conditions listed under section 19.07 have been met.

Staff finding: Positive. If this conditional use is granted, the applicant shall be required by law to abide by the requirements of the City of Frankfort Zoning Ordinance as listed in this report as well as any special conditions attached with approval. If the applicant fails to abide by these requirements and conditions, their business will be revoked, the applicant will be in violation of the zoning ordinance as an illegal land use, and their Certificate of Occupancy will be revoked.

19.074 Permit, Not Transferable

A special permit for a home occupation is not transferable. A new permit must be applied for whenever there is a change in the occupations, occupant, or address.

Staff finding: Positive. This request is only for the existing property owner of this address. If ownership changes this conditional use permit will be null and void (if granted).

19.075 Retail Activities

Generally, only handmade items, crafts made in the home, and sale items in conjunction with the services may be offered for sale on the premises. No other goods, products, or commodities bought for the express purpose of resale shall be sold at retail or wholesale on the premises, nor shall such goods or products be stored or displayed on the premises or distributed to other locations. This provision is not meant to prohibit the storage of goods sold through a mail-order or online sales business as long as the storage of those goods does not violate any other provision of this regulation.

Staff finding: N/A.

19.076 Occupation Types

The following uses are prohibited as home occupations; automobile and small engine repair, wrecking and hauling of motor vehicles, medical or dental office other than psychiatry/psychology, home cooking and catering, private clubs, eating and drinking establishments, fortune tellers, hotels/motels, wholesale and retail, kennels. If, in the opinion of the permit issuing authority, a use or activity that is proposed as a home occupation is not specifically listed as prohibited, but has characteristics of a use or uses that are listed and could negatively impact the residential character of the neighborhood in which it is proposed, then that use/activity shall be prohibited as a home occupation. Such determinations may be appealed to the Board of Zoning Adjustment. *Note: Agriculture related "homebased processing & microprocessing" taking place in accordance with HB391 and KRS 217.0005 through KRS 217.219 shall not be prohibited by the preceding list of occupation types.*

Staff finding: Positive. This home occupation is permitted as a medical office as it involves psychiatry/psychology.

19.077 Limitation on Area

The use of the dwelling for the home occupation shall be clearly incidental and subordinate to the use of the dwelling for residential purposes. A home occupation shall occupy less than 50 percent of the floor area of the principal dwelling unit, when the occupation is located in an accessory structure the area of the accessory structure may be counted towards the floor area of the principal dwelling unit.

Staff finding: Positive. This home occupation will utilize 50% of the floor area of the dwelling unit. If any more than this is used, this conditional use (if granted) will become null and void.

19.078 Location

The operation of Home Occupations shall be limited to the dwelling unit (including the basement and attached garage) and one roofed and fully enclosed accessory structure located on the site.

Staff finding: Positive. This home occupation will be limited to the dwelling unit.

19.079 Parking

Parking facilities required by this ordinance have been provided and shall not alter the residential character of the lot.

Staff finding: Positive. The addition of two off-street parking spaces should not negatively affect the residential character of the property.

19.0710 Alteration of Structure

No residential structure shall be altered or added to in such a manner that the alteration would conflict with the residential nature of the structure were no home occupation in use.

Staff finding: Positive. The existing residential character and exterior of the structure will not be altered for this conditional use.

19.0711 No Products or Processing

Except for the creation and production of arts and crafts there shall be no good, samples, materials or objects sold, stored, displayed, manufactured or processed on the premises in connection with the operation, however, this article shall not prohibit dressmaking or tailoring wherein goods are not manufactured or processed as stock for sale or distribution, nor shall it prohibit the production and incidental sale of arts and crafts which have been created by the occupant of the premises.

Staff finding: N/A.

19.0712

No electrical or mechanical equipment or processes that would change the fire rating of the dwelling unit shall be permitted. No home occupation may cause odor, vibrations, fumes, or glare which is beyond the scope of odors, vibration, fumes, or glare which could result from typical behaviors in a residential setting. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.

Staff finding: N/A.

12.01 MINIMUM OFF-STREET PARKING REQUIREMENTS

In all districts there shall be provided adequate off-street parking areas in accordance with the requirements of this article whenever there is an addition or enlargement of an existing building, change of use or number of employees, or increase in floor area or development of any new structure.

12.012 In SC, CB or SH zones adequate parking may be provided by the business or residence, or may be commercial, public or on street parking along the site. Provision of parking is not required in individual business in the SH or CB zones. Parking for residences may be ½ that required in other districts. All parking spaces, including driveways, within the SC, CB, or SH that is located off-street is highly recommended to be constructed from pavers, rather than solid concrete or asphalt, in order to assist in reducing the total impervious surface of the site.

LAND USE	PARKING SPACES REQUIRED	PER UNIT
Single Dwelling Unit	2	Dwelling Unit
Other Professional Offices	3	1,000 sq. ft. gross floor area

12.041 Back-Out Parking Prohibited. Except for parcels of land devoted to one (1) and two (2) dwelling uses, all areas devoted to off-street parking shall be designed and be of such size that no vehicle is required to back into a public street to obtain egress. Only exceptions may be given for loading spaces within the historic districts, when supported by the Public Works Department.

Staff finding: Positive and Negative. The proposed use requires a total of four (4) parking spaces. Two standard parking spaces (measuring 9'x18' each) can be located along the site of the property at Steele Street. The applicant has attached a site plan with their proposed parking. However, this is unattainable due to the size and configuration of the lot. Staff has submitted a recommended parking layout attached

near the end of this report. Staff recommends that the parking spaces be composed of either pavers, crushed gravel, pea gravel or a mixture of these.

17.10.9 SITE FEATURES

Private site elements include driveways, walkways, garages and out-buildings, lighting, fences, walls, benches, terraces, signs, fountains, berms, drainage ditches, trees, plantings and archaeological features. The relationship between historic buildings and the site features within a property's boundary helps define the historic character and shall be considered an important part of any project.

- C. Ground surface materials, such as paving, ground cover planting, terraces, etc., shall be compatible with the existing and adjacent sites, existing site conditions and the character of the building. Use of materials compatible with the existing public sidewalks is encouraged. The use of ground surfaces that vary significantly from the surrounding conditions, that do not fit the site configuration, or that detract from the character of the building are discouraged. For example, front yards which have an extensive mixture of paving materials and walks with little grass or ground cover shall be avoided, especially where the surrounding sites have large areas of grass or ground cover and few paved areas. Hard surfaced paving such as walks should not conflict in character with adjacent sidewalk materials.

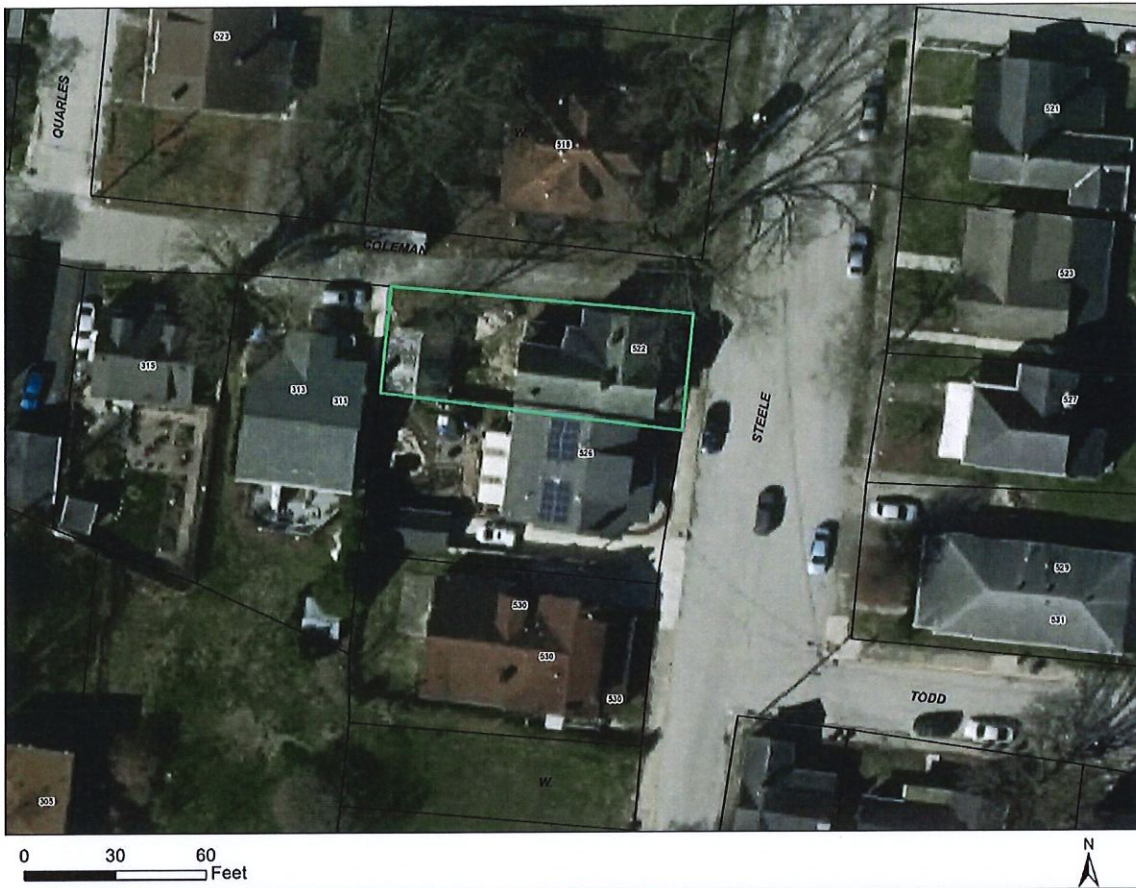
Staff finding: Positive and Negative. While green space will be lost in the rear yard, the use of pavers, crushed gravel, pea gravel or a mixture of these instead of a fully paved parking area will lessen the impact of the required parking area.

Recommendations

Based on the findings within this report, staff recommends **APPROVAL** of the applicant's request for a Conditional Use Permit **with the following conditions.**

1. The conditional use applies only for Dominique L. Wilson within the principal structure on the first floor only.
2. The conditional use is permitted only at 522 Steele Street.
3. The conditional use is granted only to Dominique L. Wilson.
4. The conditional use is not transferable and any change in ownership or use will make this approval null and void.
5. That any signage comply with the requirements of Section 4.416.A of the zoning ordinance and a sign permit shall be issued before any sign can be installed.
6. The applicant shall obtain a City of Frankfort Business License.
7. Clients shall not be permitted at the site between the hours of 9:00 PM to 7:00 AM.
8. Group therapy sessions shall be limited to four (4) persons or less at any given time.
9. The second floor of the structure shall not be utilized as a part of this conditional use and shall be for residential use of the owner only.
10. A building permit for a change of use shall be applied for and issued by the Planning Department, along with a Certificate of Occupancy, before this conditional use can operate at this location.
11. A building permit for the parking area shall be applied for and issued by the Planning Department.
12. The parking area shall adhere to Staff's recommended parking layout and be composed of pavers, pea gravel, crushed gravel, or a mixture of these materials.

13. No other exterior changes including but not limited to windows, roofing, gutters, chimneys, exterior doors, and/or accessory structures are to occur as a part of this conditional use unless a building permit and a Certificate of Appropriateness have been issued.
14. No other employees other than the applicant/property owner are permitted as a part of this conditional use.
15. Group sessions as a part of this counseling business shall not occur at the property.
16. The property shall remain in compliance with the City of Frankfort's Property Nuisance Code.
17. The applicant shall adhere to the recommendations of the Sewer Department and Public Works Department contained within this report.
18. The applicant shall confer with the Sewer Department and Public Works Department before the installation of any off-street parking in the rear yard.
19. Any violation(s) to these conditions will make this conditional use permit null and void.











The red line indicates a 20' width



The yellow tape measurer indicates an 18' length



The change of grade from this point of view to the street represents approximately 1'9"

Jordan Miller

From: Ken Hogsten
Sent: Thursday, September 17, 2020 2:21 PM
To: Jordan Miller; Robert Barker
Subject: RE: 522 Steele

Follow Up Flag: Follow up
Flag Status: Completed

(INTERNAL)

There is a 12" sewer line in the back yard but that does not prohibit them from paving and adding parking. They will need to call 811 before any digging or grading can be completed.

Thanks,

Kenny

From: Jordan Miller
Sent: Thursday, September 17, 2020 2:13 PM
To: Ken Hogsten <khogsten@frankfort.ky.gov>; Robert Barker <rbarker@frankfort.ky.gov>
Subject: 522 Steele

(INTERNAL)

Hey guys,

Property owner at 522 Steele is going before the ARB requesting offices and parking in the rear yard. Are there any issues that the Sewer Dept foresees if parking was to be added in the rear yard of this property along Coleman Avenue?



JORDAN MILLER

Senior Community Planner

Planning & Community Development



502 • 352 • 2097



jmiller@frankfort.ky.gov



502 • 320 • 1777



www.frankfort.ky.gov

City of Frankfort

Capital of Kentucky

Mayor
William I. May, Jr.

1200 Kentucky Ave.
Frankfort, Kentucky 40601
(502) 875-2448
www.frankfort.ky.gov

Commissioners
John R. Sower
Scott Tippet
Katrisha Waldrige
Eric E. Whisman

September 22, 2020

Jordan Miller
Senior Community Planner
Planning and Community Development
315 West 2nd Street
Frankfort, KY 40601

RE: 522 Steele Street
ARB Review

Mr. Miller,

The Frankfort Sewer Department has received notification of the ARB for 522 Steele Street. FSD has the following comments:

1. The property has an existing 12" sanitary sewer lateral from 526 Steele Street that is located in the center of the property. FSD will begin field investigation to determine if this is a private lateral servicing 526 or a community lateral serving multiple properties.

Please feel free to contact this office, 502.229.6313, if you have any questions.

Sincerely,
Frankfort Sewer Department

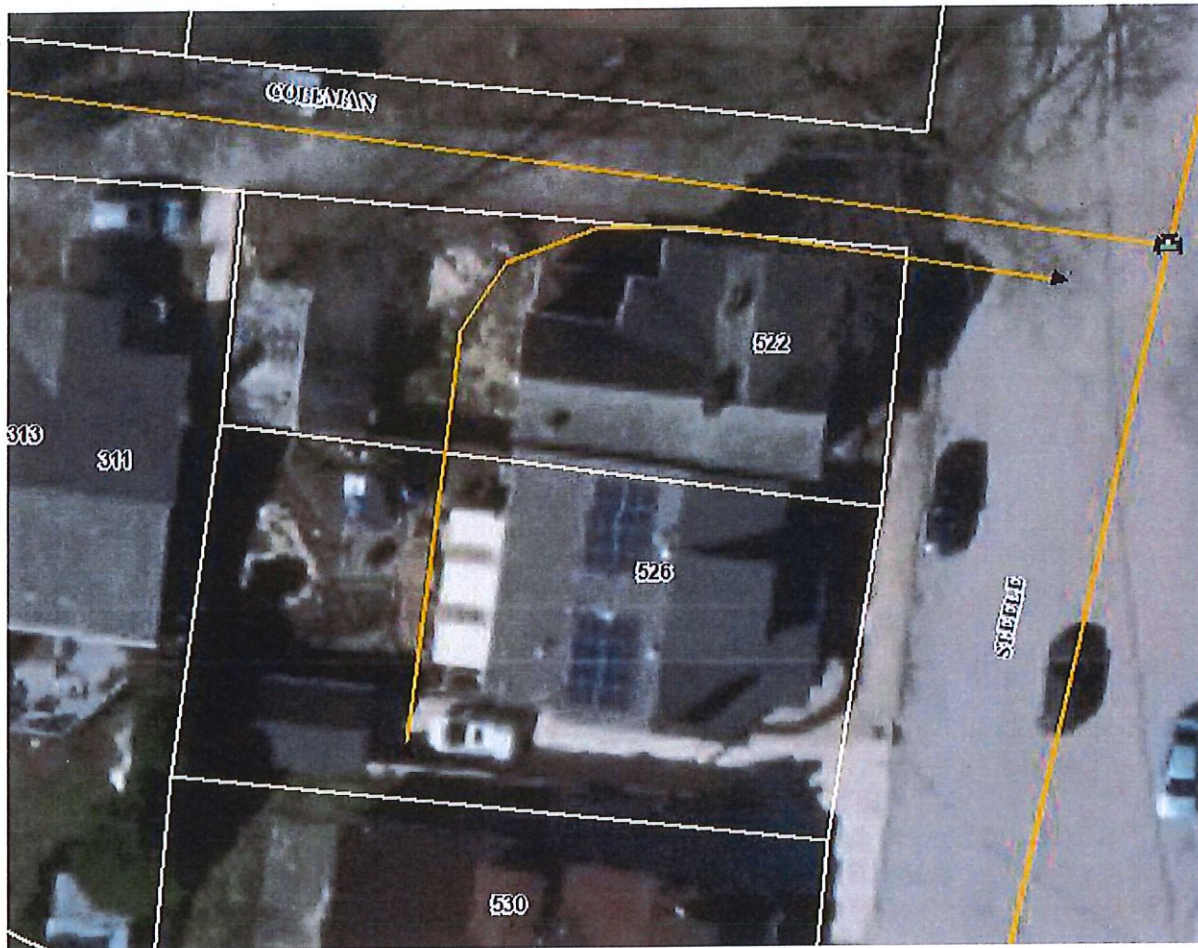


Michael Hesse, PE
Design Engineer

CC: Robert Barker



Equal Opportunity Employer
Equal Housing Opportunity 



Jordan Miller

From: Michael Hesse
Sent: Tuesday, October 13, 2020 9:20 AM
To: Jordan Miller
Subject: RE: FSD Review Comments - 522 Steele.pdf

(INTERNAL)
Jordan,

We have verified that the common lateral does connect to our sewer system. The property owner needs to protect the common lateral during construction or provide alternate laterals for their property and neighbor.

Michael Hesse, PE
Design Engineer
Frankfort Sewer Department
502.229.6313

From: Jordan Miller
Sent: Monday, October 12, 2020 1:14 PM
To: Michael Hesse <mhesse@frankfort.ky.gov>
Subject: RE: FSD Review Comments - 522 Steele.pdf

(INTERNAL)
Michael,
Did you guys find anything out regarding the lateral at this property?



JORDAN MILLER
Senior Community Planner
Planning & Community Development

☎ 502 • 352 • 2097 ✉ jmiller@frankfort.ky.gov
📞 502 • 320 • 1777 🌐 www.frankfort.ky.gov

From: Michael Hesse <mhesse@frankfort.ky.gov>
Sent: Wednesday, September 23, 2020 1:23 PM
To: Jordan Miller <jmiller@frankfort.ky.gov>
Cc: Robert Barker <rbarker@frankfort.ky.gov>
Subject: FSD Review Comments - 522 Steele.pdf

(INTERNAL)
Jordan,

Please see FSD's comments on 522 Steele.

Michael Hesse

Jordan Miller

From: Sara Anderson
Sent: Monday, October 12, 2020 11:03 AM
To: Jordan Miller
Subject: RE: 522 Steele Street

Follow Up Flag: Follow up
Flag Status: Flagged

(INTERNAL)

At this location I think the biggest concern would be stormwater running onto this property from the road. She'd want to make sure anything she installs is sloped such that it isn't carrying water directly off the street toward her house. Pavers or gravel would help her out some.

We don't have any stormwater structures on or bordering that side of the property

FSD does have a combined sewer line running directly through the area. Not sure how they'd feel about the proposal.

Sara J. Anderson, P.E.
Deputy Director of Public Works
315 W. Second Street
Frankfort, KY 40601
502-875-8500
www.frankfort.ky.gov

From: Jordan Miller
Sent: Tuesday, October 6, 2020 3:52 PM
To: Sara Anderson
Subject: 522 Steele Street

(INTERNAL)

Sara,
Proposed layout attached.



JORDAN MILLER

Senior Community Planner

Planning & Community Development

☎ 502 • 352 • 2097 ✉ jmiller@frankfort.ky.gov

📞 502 • 320 • 1777 🌐 www.frankfort.ky.gov



7/3/2020

Jordan Miller, Senior Planner
Planning & Community Development
Frankfort Kentucky

Dear Mr. Miller:

I am submitting this Condition Use Permit application due to my desire to expand my outpatient behavioral health and substance abuse facility in Lexington to Frankfort. I started New Life Counseling Services in Lexington, Kentucky in April 2013 due to my desire to provide quality and caring counseling services to those who were in need of mental health and substance abuse treatment. My desire was to provide affordable outpatient counseling services to those of our community due to my previous experience of working with low income and at-risk clients and discovering there were not many options available for counseling services for these populations.

The current treatment populations we provide services to involve various treatment concerns, i.e. anxiety, depression, behavioral, and mood disorders, and we have a DUI program in order to provide 1st and subsequent DUI offenders with court-ordered classes and outpatient treatment. We accept Medicaid, Medicare, most commercial insurances, and offer sliding scale fee. We believe that everyone should be able to qualify for quality and caring counseling services and have an excellent reputation in our community for doing so. We work with all ages, genders, ethnicities, religions, and believes in treating all our clients with respect and dignity in all phases of their treatment. Our mission is to be one of the premier providers of behavioral health counseling and substance abuse prevention, intervention, and treatment services in the state of Kentucky.

Our services include providing outpatient counseling services that typically run between 45-60 minutes in duration, case management services, referral services, and case coordination with community contacts. We providing 20 hour DUI Education classes that consists of six 3-hour sessions and one 2-hour sessions (classes are conducted based on client need) and we providing individual outpatient on a 52- week basis for 2nd and subsequent DUI offenders. We do not provide MAT (medication assistance treatment) or other forms of treatment that are used to wean

clients off of substances. Our treatment population is 90% behavioral health and around 10% substance abuse and a majority of our clients are voluntarily (sought treatment on their own accord).

Due to the pandemic, at our Lexington office, we are providing our services via telehealth and plan to continue doing so until it is safe for my staff and clients to return an office setting. We are looking at making this a permanent option due to how well our clients have adjusted to this and are desiring to use the property at 522 Steele Street as our main office location for the business. The house at 522 Steele Street is 2208 square feet and on the first has an open foyer, a living, a main room that will be an office, a full bathroom, a kitchen, and utility room. The second floor of the house has four bedrooms that can be used as office space and a full bathroom.

I am hopeful that our approval for a condition use permit will be considered as we would love to become a beneficial resource in Franklin county for the citizens that are in need of outpatient counseling services. Please advise me if more is needed for this application or if you have any questions.

Thank you for your consideration of this matter.

Sincerely,


Dr. Dominique L. Wilson, LPCC-S, MAC

Owner of New Life Counseling Services

389 Waller Avenue, Ste. 200 & 220

Lexington, KY 40504

859-309-2384- Office Phone

859-406-1066 Office fax

859-428-7262 Business Cell

www.counselingky-newlife.com

Sq. ft. A.C. %
(% of total site area)

SITE DATA

Total site area	
Zoning	
Future Land Use	
PCN	
Proposed/Existing use	

OPEN SPACE

Total open space	
Required	
Provided	
Other open space	
Preserve area	
Wetland	
Upland	

IMPERVIOUS AREA

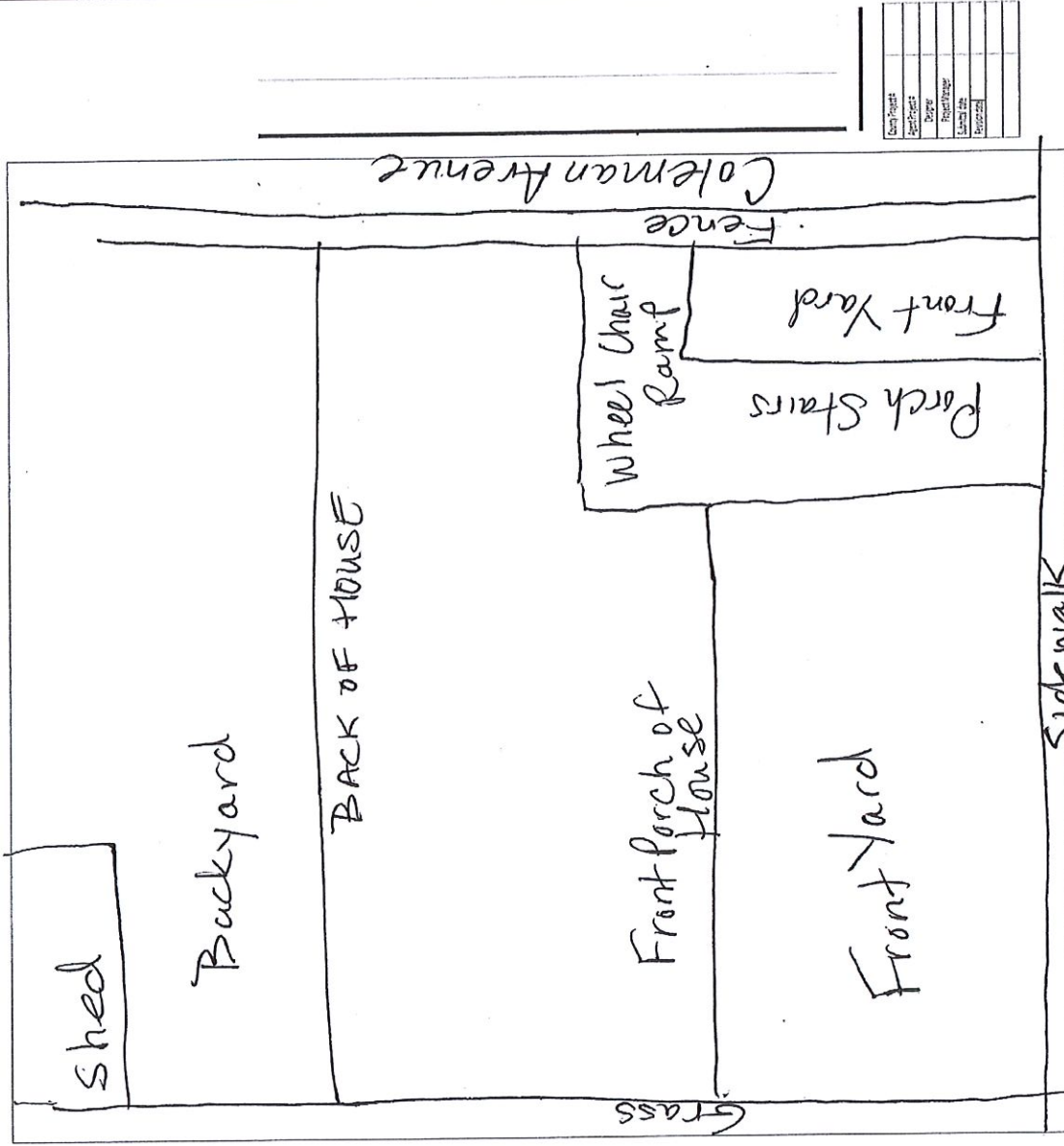
Total developed area	
Building	
Pavement, Roads	
Sidewalks, Pads, etc	
Surface water	

BUILDING DATA

Total gross floor area	
Building coverage/Density	
Height (# stories)	
Use 1	
Use 2	
Density/Mixed use calculations	
Break down uses by sq. ft.	

PARKING

Demonstrate parking calculations by uses	
Provided	
Required	
If Parking Adjustment required, include calculations and percent increase or reduction	



sq. ft. Ac. %
(% of total site area)

Total site area	Zoning	Future Land Use	PCN	Proposed/Existing Use
-----------------	--------	-----------------	-----	-----------------------

Total open space Required	Provided	Other open space Preserve area	Wetland	Upland
------------------------------	----------	-----------------------------------	---------	--------

Total developed area
Building
Pavement, Roads
Sidewalks, Pads, etc
surface water

Total gross floor area	building coverage/Density
Height (# stories)	Use 1
Use 2	Density/Mixed use calculations
	Break down uses by sq. ft.

Demonstrate parking calculations by user!
Provided
Required
[If Parking Adjustment required, include calculations and percent increase or reduction]



North

1 of 2

~~City of~~ Final Site Plan

Course Project
Assignment
Design
Project Manager
Internship
Research

SITE DATA

Sq. ft. Ac. 96
(% of total site area)

Total site area
Zoning
Future Land Use
RCN
Proposed/Existing use

OPEN SPACE

Total open space
Required
Provided
Other open space
Preserve area
Wetland
Upland

IMPERVIOUS AREA

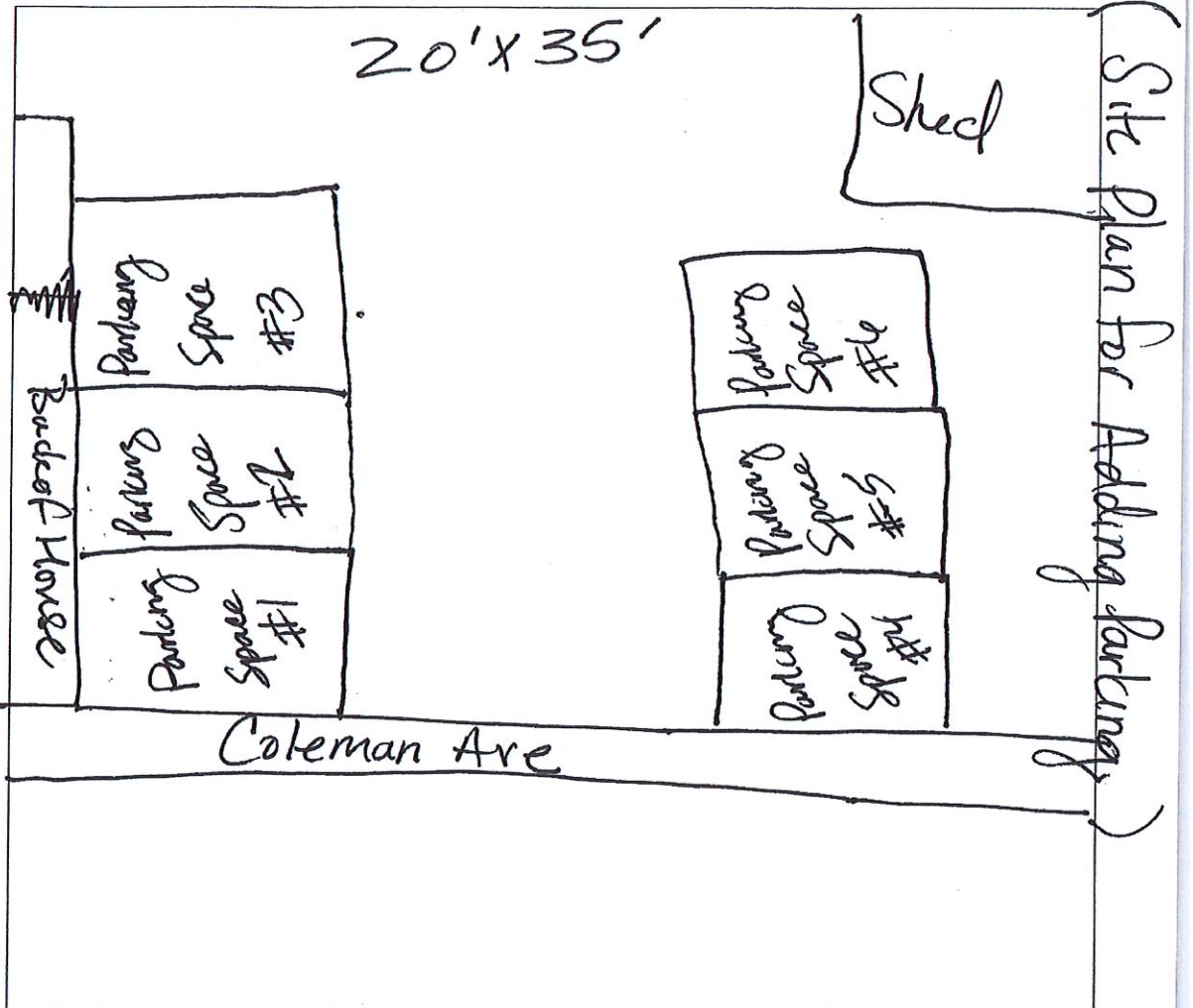
Total developed area
Building
Pavement, Roads
Sidewalks, Pads, etc
Surface water

BUILDING DATA

Total gross floor area
Building coverage/Density
Height (# stories)
Use 1
Use 2
Density/Mixed use calculations
(Break down uses by sq. ft.)

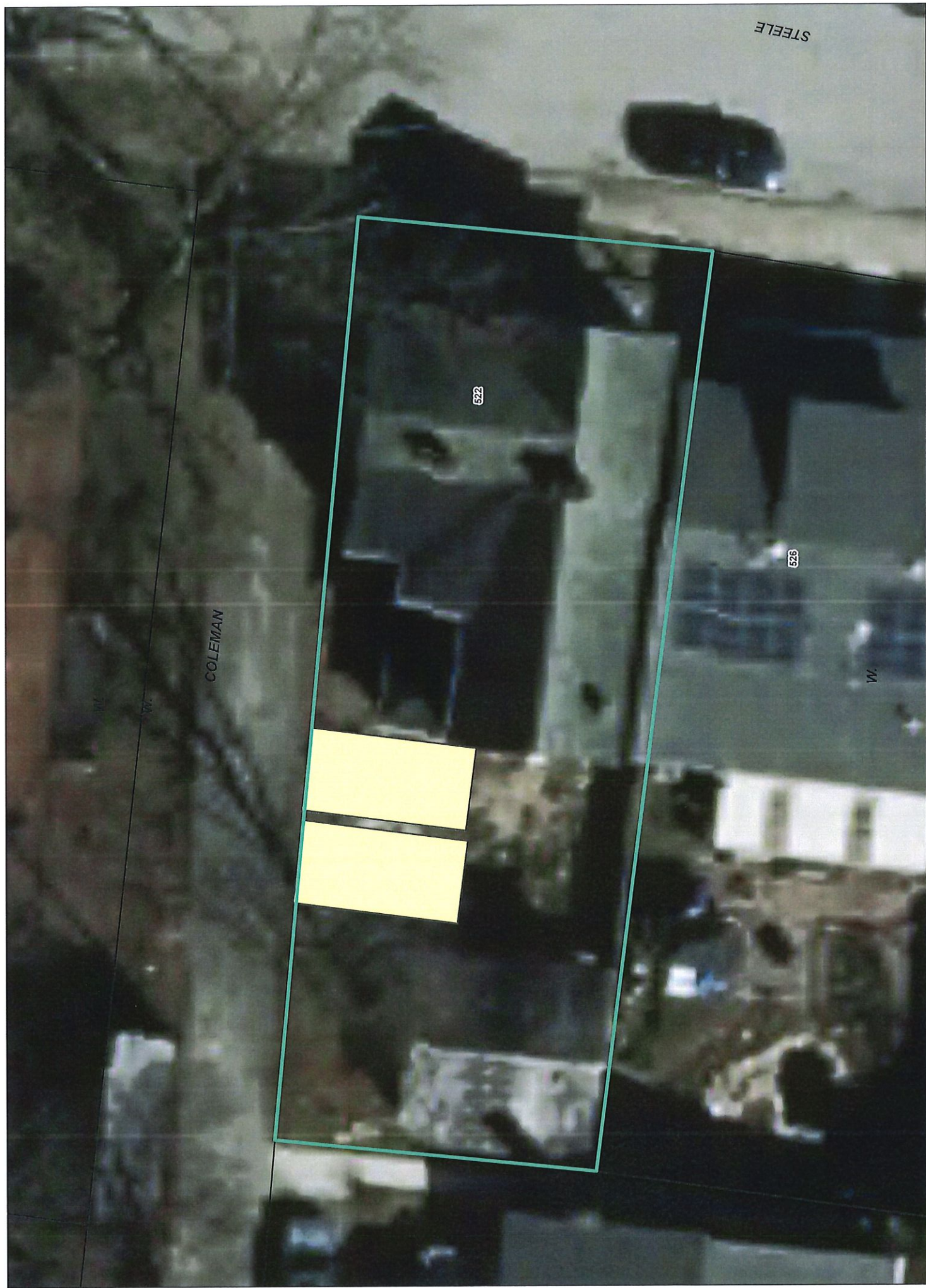
PARKING

Demonstrate parking calculations by uses
Provided
Required
(If Parking Adjustment required, include calculations and percent increase or reduction)



Lot #	
Area	
Use	
Notes	
Owner	

Final Site Plan



STEELE



COLEMAN

522

523

W.




Staff's Recommended Parking Layout

KENTUCKY INDIVIDUAL BUILDING SURVEY FORM

(KHC 2011-1)

COUNTY Franklin
 RESOURCE # FRSF-450
 EVALUATION N: Eligible as part of group
 SHPO EVALUATION _____
 DESTROYED _____

1. NAME OF RESOURCE (how determined): 0 / Unknown/not applicable	17. PLAN: First: N / T-plan Second: _____
2. ADDRESS/LOCATION: 522 Steele Street Frankfort, KY	18. STYLISTIC INFLUENCE: First: 4:V: Vernacular Victorian Second: 6:5: Bungalow/Craftsman
3. UTM REFERENCE: Quad Name: Frankfort West Date: 1997 Zone: 16 Method: G / GPS Unit Easting: 685803 Northing: 4229049	19. FOUNDATION: Type: 2 / Continuous Material: S / Stone
4. OWNER/ADDRESS: Doris H. Thurman Estate 522 Steele Street Frankfort, KY Parcel # 062-14-01-008.00	20. PRIMARY WALL MATERIAL: Original: I / Weatherboard Replacement: V / Aluminum
5. FIELD RECORDER/AFFILIATION: Janie-Rice Brother, KY Archaeological Survey	21. ROOF CONFIGURATION AND COVERING: Configuration: A / Gable, side Covering: 5 / Asphalt shingle
6. DATE RECORDED: November 2012	22. CONDITION: F / Fair-under maintained
7. SPONSOR: City of Frankfort	23. MODIFICATION: 2 / Moderate alteration
8. INITIATION: 2 / CLG	24. ARCHITECT/BUILDER:
9. OTHER DOCUMENTATION: <input checked="" type="checkbox"/> Survey <input type="checkbox"/> HABS/HAER <input type="checkbox"/> KY Land <input type="checkbox"/> Local Land <input type="checkbox"/> NHL <input type="checkbox"/> NR	25. PHOTOGRAPH FILE: FRSF-450_001-006
10. REPORT/NR REFERENCE: South Frankfort Phase IV Survey	26. WINDOWS: <input checked="" type="checkbox"/> Original <input type="checkbox"/> Replacement Type: Wood Sash Sash Configuration: 1/1
11. ORIGINAL PRIMARY FUNCTION: 01: Residential - A: Single Dwelling	27. OUTBUILDINGS: No Number and type:
12. CURRENT PRIMARY FUNCTION: 01: Residential - A: Single Dwelling	
13. CONSTRUCTION DATE: Estimated 4: 1900-1924 Documented:	
14. DATE OF MAJOR ADDITIONS/MODIFICATIONS (specify): 1: 1975-2000 Alum. siding	
15. CONSTRUCTION METHOD AND MATERIAL: Original/Primary: W2 / Balloon frame Subsequent/Secondary: _____	COMMENTS/HISTORICAL INFORMATION: This 2-story frame T-plan rests on a stone foundation. The 2-bay wide façade has a window/door fenestration pattern; the 1 st floor window on the façade is the most striking feature remaining on the dwelling, with diamond shaped tracery in the upper sash. The other stylistic characteristic is the hipped roof porch with 4 Tuscan columns. The other windows are wood, 1/1 double-hung sash. Two interior brick chimneys pierce the side gable asphalt shingle roof. In the 1914-1916 Frankfort City Directory, this was the home of Lula L. Herndon, the widow of T.D. Herndon. In 1926, Beulah Goins, a clerk at FW Woolworth, boarded here.
16. DIMENSIONS: Height: C: 2 Story Width: 2 bays Depth: Acreage:	

114 Shelby Street

Special Capital Historic District

Jason Delambre, Owner/Applicant

Request

In accordance with Articles 4 and 17 of the City of Frankfort Zoning Ordinance, Jason Delambre is requesting a Certificate of Appropriateness to construct a two-story porch addition and modify an existing window opening for the property located at 114 Shelby Street. The property is more particularly described as PVA Map Number 062-31-01-007.00.

Description of Proposal

The subject property features a two-story Colonial Revival-style single-family dwelling constructed in 1930. The applicant is requesting to construct a two-story screened-in porch addition on the west elevation (rear) of the building. The roof on the addition will tie into the existing structure and will match the height of the existing building. All materials on the addition will be in-kind and match the existing building. The applicant would also like to add matching railings on a small non-original addition adjacent to the proposed addition. The applicant is also proposing to a new window opening and matching window in the existing location of a semi-circle vent on the south elevation (side) facing Shelby Street. The applicant is also working with the Kentucky Heritage Council regarding this project and they are in support of the proposal.

Significance of Structure

The property is contributing to the Central Frankfort National Historic District.

City of Frankfort Zoning Regulations

17.10. DESIGN GUIDELINES FOR EXTERIOR REMODELING

17.11 DESIGN GUIDELINES FOR NEW CONSTRUCTION OR MOVING OF A STRUCTURE INTO THE HISTORIC DISTRICTS

17.10.2 SIDING

Wood is a common building material in the historic areas, used for structural framing, protective siding and decorative elements. Wood can be easily shaped by sawing, planing, and carving, and it is used for a broad range of building elements such as cornices, brackets, shutters, columns, porches, doors and windows, and other decorative building elements. For the purposes of these guidelines, siding shall mean all wood siding, shingles, decorative wooden elements and framing.

- A. Wood clapboard siding shall be used as the repair or replacement material on wood frame buildings.
- B. With the exception of accessory structures less than 200 s.f., rough-sawn wood, diagonally oriented wood or plywood siding (i.e. T-111) is inappropriate and shall be prohibited for exterior walls, trim and ornamentation.
- C. Aluminum, fiber cement, or vinyl siding shall be permitted for any structure within the Special Capital zone district. The following guidelines shall be followed in installing aluminum or vinyl siding in the Special Capital zone district:

1. Corner boards for artificial siding shall be the same size as the existing corner boards.
2. All new window and door trim shall be the same width as the original trim.
3. Architectural features must be covered in a manner that will allow for the same proportion after coverage as before coverage.
4. All artificial siding shall run in the same direction as the original siding.
5. Frieze and soffit boards must be covered in the same widths as exists on the building.
6. All detailing which is not flush with the siding or surface must bear the same proportion after coverage as before coverage.
7. All exterior façade shingles shall remain and must not be covered or altered.
8. All decorative porch posts, railings, brackets, cornices, and cornice trim must remain uncovered.
9. Existing shutters consistent with the style of the building shall be returned to the original location after the artificial siding is applied.
10. All masonry must remain uncovered.
11. The width of artificial siding must have approximately the same width and shape as the original, and generally should be 4" to 6" wide.
12. Artificial siding shall not be installed over rotted wood – all original siding, trim, fascia and drip items shall be repaired or replaced.
13. All artificial siding shall be the original color of the building, if possible.
14. Siding materials with a stamped or molded design which imitates masonry or wood grain may be used when it matches the existing design.

Staff finding: Positive. The proposed addition will feature wood siding in-kind to the existing house and a wood framed screened-in porch to match.

17.10.3 ROOFS

- A. The original roof shape shall be preserved on the principle building. (*amended 9-2016*)
- B. Changes to the original roof shape or adding features inappropriate to the character of the roof, such as oversized dormer windows, is discouraged. Skylights, roof decks and roof gardens may be permitted if they do not detract from the architectural integrity of the building. Generally, the use of skylights, roof decks or roof gardens on the main façade of the building is discouraged.
- C. Whenever possible, original roofing materials shall be retained. New roofing shall be appropriate to the style and period of the building and neighborhood and should match the old in composition, size, shape, color and texture. Retain or replace, where necessary, all architectural features that give the roof its essential character, such as dormer windows, cupolas, cornices, brackets, chimneys, cresting and weather vanes. Full replacement of roof with material other than existing shall be only approved by the Board and after the applicant has submitted documentation and evidence of why the existing roof material cannot be repaired and/or replaced with the same material.
- D. Architectural details that will change the character of the roof and the structure are discouraged. Television antennae, satellite dishes or similar items and mechanical equipment such as air

conditioning units shall be placed in an inconspicuous location where they will not detract from the character of the building.

Staff finding: Positive. The addition will have a gable roof with a similar pitch covered in asphalt shingle and same height to match the existing structure.

17.10.4 GUTTERS AND DOWNSPOUTS

- A. Box gutters shall be preserved and repaired or replaced with the same style box gutters on all elevations visible from a public right-of-way. Box gutters that cannot be repaired on elevations not visible from a public right-of-way, may be replaced with half-round hanging gutters and round downspouts.
- B. Finish Treatment: Hanging gutters and downspouts, unless made of copper, shall be painted the same color as the house or the trim. To prevent the paint from flaking and peeling within a short period of time, new non-galvanized metal or aluminum gutters or downspouts shall be coated with a galvanized steel primer before applying the finishing coats of paint.
- C. Style: All hanging gutters and downspouts may be repaired or replaced with the same style and design. All new Hanging gutters shall be half-round and new downspouts shall be round unless otherwise approved by the Architectural Review Board; however, modern K-style gutters are allowed within the SC district, with the exception of historically contributing structures. PVC style gutters shall not be allowed in any historic district.

Staff finding: Positive. The addition will feature modern extruded gutters to match the existing home.

17.10.5 WINDOWS

- A. The original pattern of window openings and their shape and configuration shall not be altered.
- B. Original windows shall be retained when possible and repaired as needed.
- C. When replacement windows are used, they shall match the original in size, shape and design. Wood with vinyl clad or aluminum exteriors are allowed within the SC district. *(amended 9-2016)*
- D. Existing 6-over-6, 4-over-4, or 2-over-2 window sash may be replaced with 1-over-1 window sashes.
- E. Snap-in grids or grids between panels of glass that give a false appearance of a multi-pane sash are discouraged. *(amended 9-2016)*
- F. Windows of a style or era different than the house shall not be used.
- G. New storm windows shall be of wood or anodized aluminum with a painted finish.
- H. Window openings shall not be reduced, enlarged, or filled in on street facades.

- I. If original openings are filled in on the side or rear, the outline of the original opening shall remain apparent by setting infill material back from the surface and leaving original sills and lintels in place. Original openings on the side and rear may be blocked by attaching shutters in a closed position to maintain the appearance of a window.
- J. Installation of new window openings shall match the existing window openings as much as possible, especially on the primary elevations. New openings shall be of the same size and at the same height as existing openings. Board review and approval is required when such new window openings are proposed on street façade elevations.

Staff finding: Positive. The new window on the addition will be a wood window with the same 6/6 configuration as the existing original windows on the home, as will be the modified/new window opening on the south elevation. That window will feature a semi-circular window on top of the new window which reflects the vent that will be removed. The proposed addition also features this semi-circular design on top of the window. Please see photos at the end of this report for reference.

17.10.8 PORCHES AND DECKS

- A. Porches or additions reflecting a later architectural style are often important to the building's historical integrity and shall be retained.
- B. Porches and steps appropriate to the building and its development shall be retained.
- C. When a new porch is added where one does not exist, the porch shall be compatible with the building in terms of the materials and their texture, color, scale and detailing.
- D. The detailing of the components of the porch, including roofs, railings and trim shall be compatible with the existing building.
- E. Decks on the rear and side elevations of a structure are permissible. These decks and porches shall follow the guidelines for new construction.

Staff finding: Positive. The proposed porch addition is compatible to the existing structure with regards to texture, scale, color, and detailing. The porch is also located on the rear of the building which is acceptable; an existing 10' fence partially blocks the view of the proposed addition from Shelby Street. Simple, fully bodied painted wood railings that match the colonial style of the building will be used on the porch and around the adjacent bump out.

17.11 DESIGN GUIDELINES FOR NEW CONSTRUCTION OR MOVING OF A STRUCTURE INTO THE HISTORIC DISTRICTS

- A. Proportion of Building's Street Front Façade: The existing relationship between the width and height of the street front elevation(s) of the building (s) in the immediate area shall be maintained.

- B. Proportion of Windows and Other Openings Within the Façade: The relationship of width to height of windows, doors and other openings of the facades of building(s) in the immediate area shall be maintained.
- C. Rhythm of Solids in Street Front Facades: Rhythm being an ordered recurrent alternation of strong and weak elements. Moving by an individual building, one experiences a rhythm of masses to openings. This rhythm shall be maintained.
- D. Rhythm of Spacing of Buildings Along Streets: Past a sequence of buildings, one experiences a rhythm of recurrent building masses to spaces between them. This rhythm shall be maintained.
- E. Rhythm of Entrance and/or Projections: The relationships of entrances to sidewalks. Moving past a sequence of structures, one experiences a rhythm of entrances and projects (such as porches) at an intimate scale. This rhythm shall be maintained.
- F. Relationship of Materials: Within the immediate area, the predominant material may be brick, stone, stucco, wood siding or other material. This relationship shall be maintained.
- G. Relationship of Textures: The predominant texture within an area may be smooth, rough, horizontal, vertical or other texture or a combination of these textures. This relationship shall be maintained.
- H. Relationship of Color: Within an area, the predominant color may be that of natural materials, or the patina of materials colored by time. The accent of blending colors of trim may also be predominant. This relationship shall be maintained.
- I. Relationship of Architectural Details: Predominant details within an area may include cornices, lintels, arches, quoins, balustrades, wrought iron work, chimneys, and other significant design elements. The relationship of architectural details shall be maintained.
- J. Walls of Continuity: Within an area, physical elements, such as brick walls, wrought iron fences, landscaping masses, building facades, or combinations of these, may form a cohesive enclosure or sense of enclosure along a street. These walls of continuity shall be maintained.
- K. Relationship of Landscaping and Landscape Elements: There may be a predominance of a particular quality and quantity of landscaping and landscape elements within an area. These landscaping and landscape elements may combine to provide a certain mass and continuity. This relationship shall be maintained.

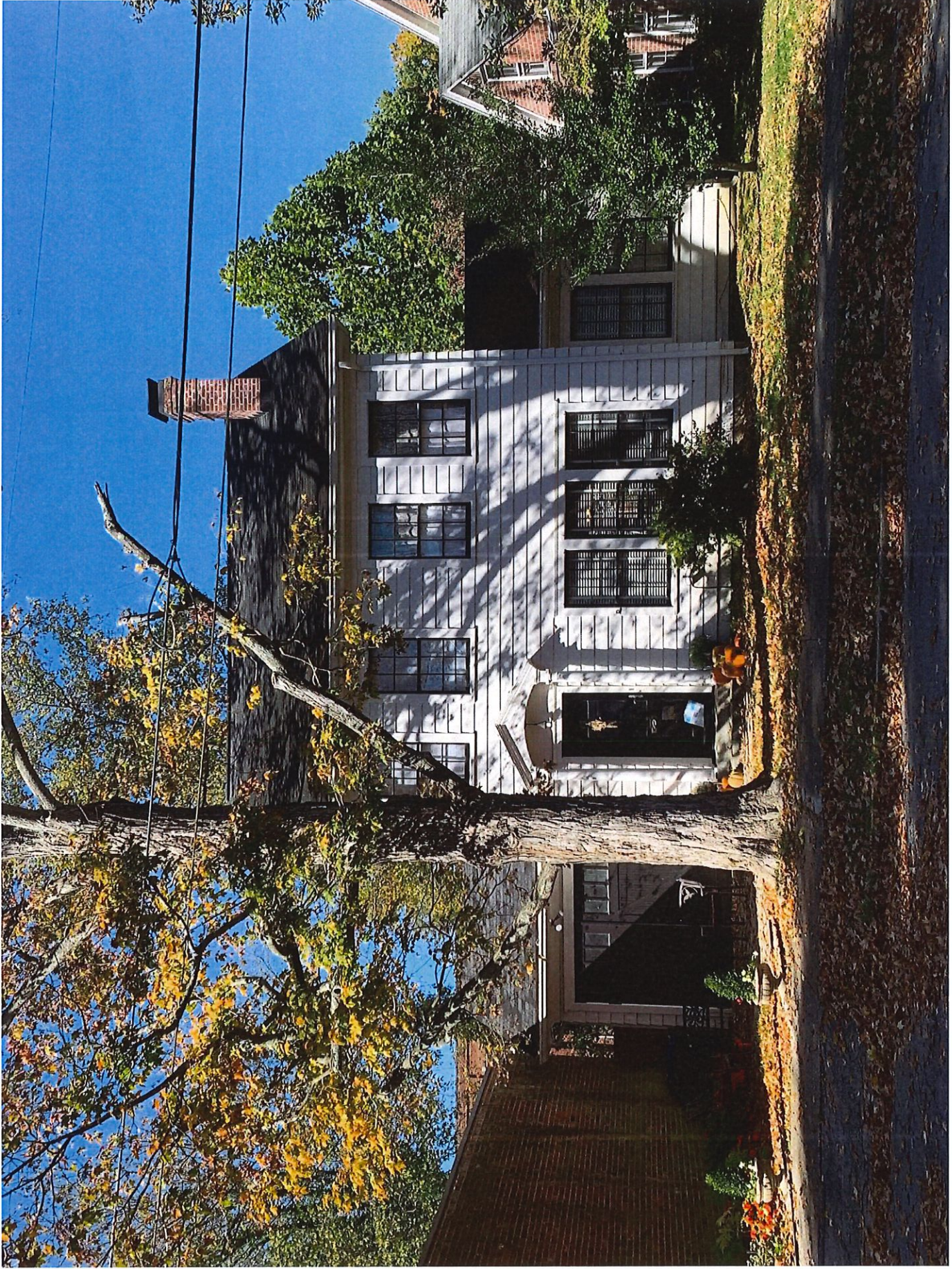
- L. Ground Cover: Within an area, there may be a predominance in the use of ground cover, such as brick pavers, cobble stones, granite blocks, tabby grass, moss, or other materials. The predominance of these materials shall be maintained.
- M. Scale and Units of Scale: Scale, within an area, is created by the size of structures, landscaping, landscaping elements, and architectural details which may relate to the human size, monumentality or some other order of proportion. Scale is also determined by structural, landscape or other such masses and their relationships to open space. The predominant elements of scale may be brick or stone units, windows or door openings, porches or balconies, landscape massings, roof pitches, eave lines, etc. The ambient scale of an area and its units of scale shall be maintained.
- N. Directional Expression of Building Facades: Structural shape, placement of openings, and architectural detailing may provide a predominantly vertical, horizontal, or a non-directional character to the building facades. This directional expression shall be maintained.

Staff finding: Positive. The proposed 394-sq.ft. addition (including first and second floor) fits within the scale of the 1,876-sq.ft. structure – representing an increase of 21% in square footage to the home for a total of 2,270-sq.ft. No significant landscaping will be affected, and the directional expression of the addition matches the existing structure and keeps with this relationship. The relationship of materials, textures, and architectural details are also compatible with the existing building.

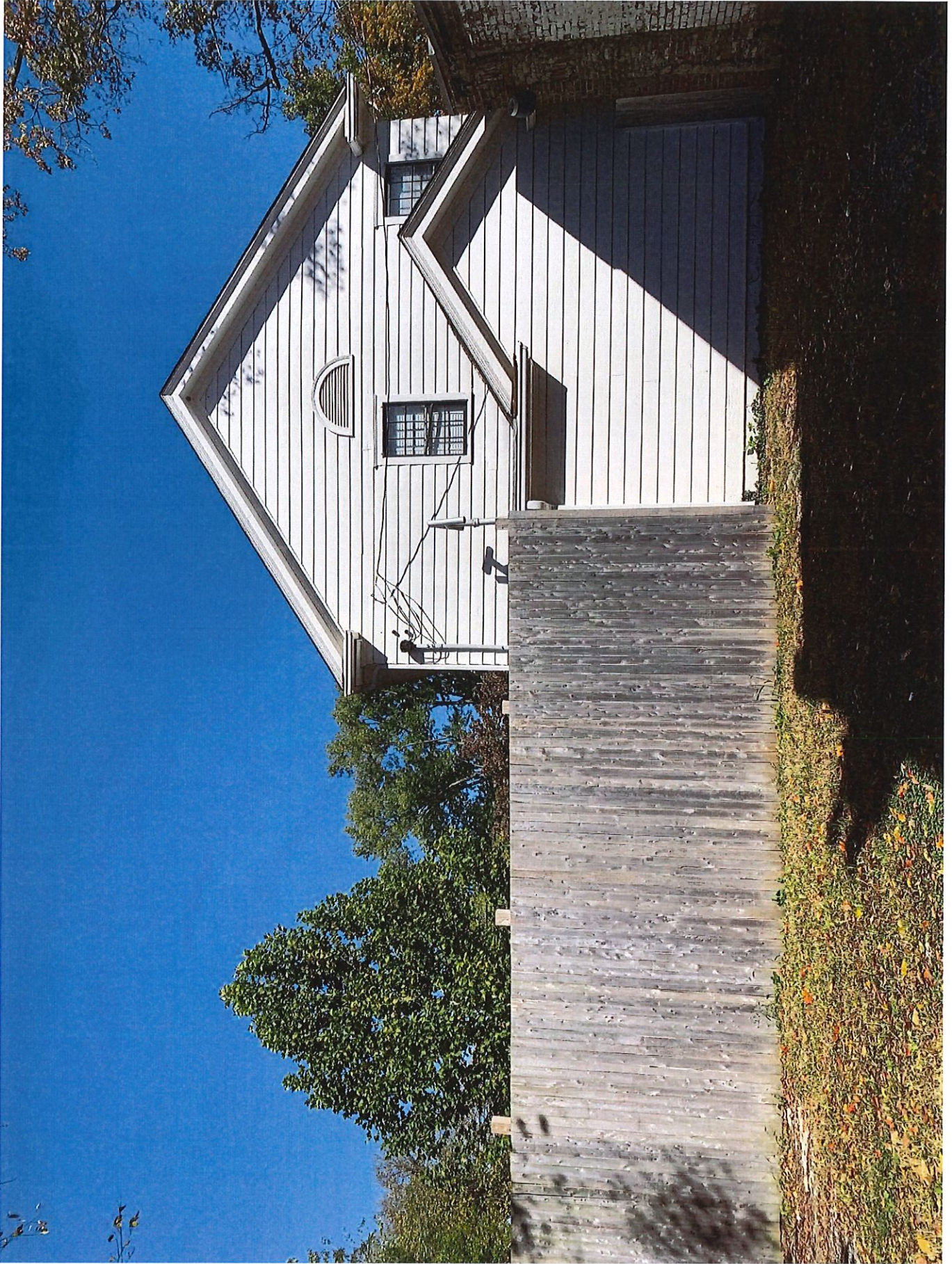
Recommendation

Staff recommends approval of the Certificate of Appropriateness with the following conditions.

1. A building permit shall be obtained prior to work commencing on the proposed project.
2. Any additional projects requiring a building permit or modifications to this proposal shall require review and approval by the Architectural Review Board unless a Certificate of No Exterior Effect is issued.
3. The construction and design of the project shall adhere to the drawings contained within this report.



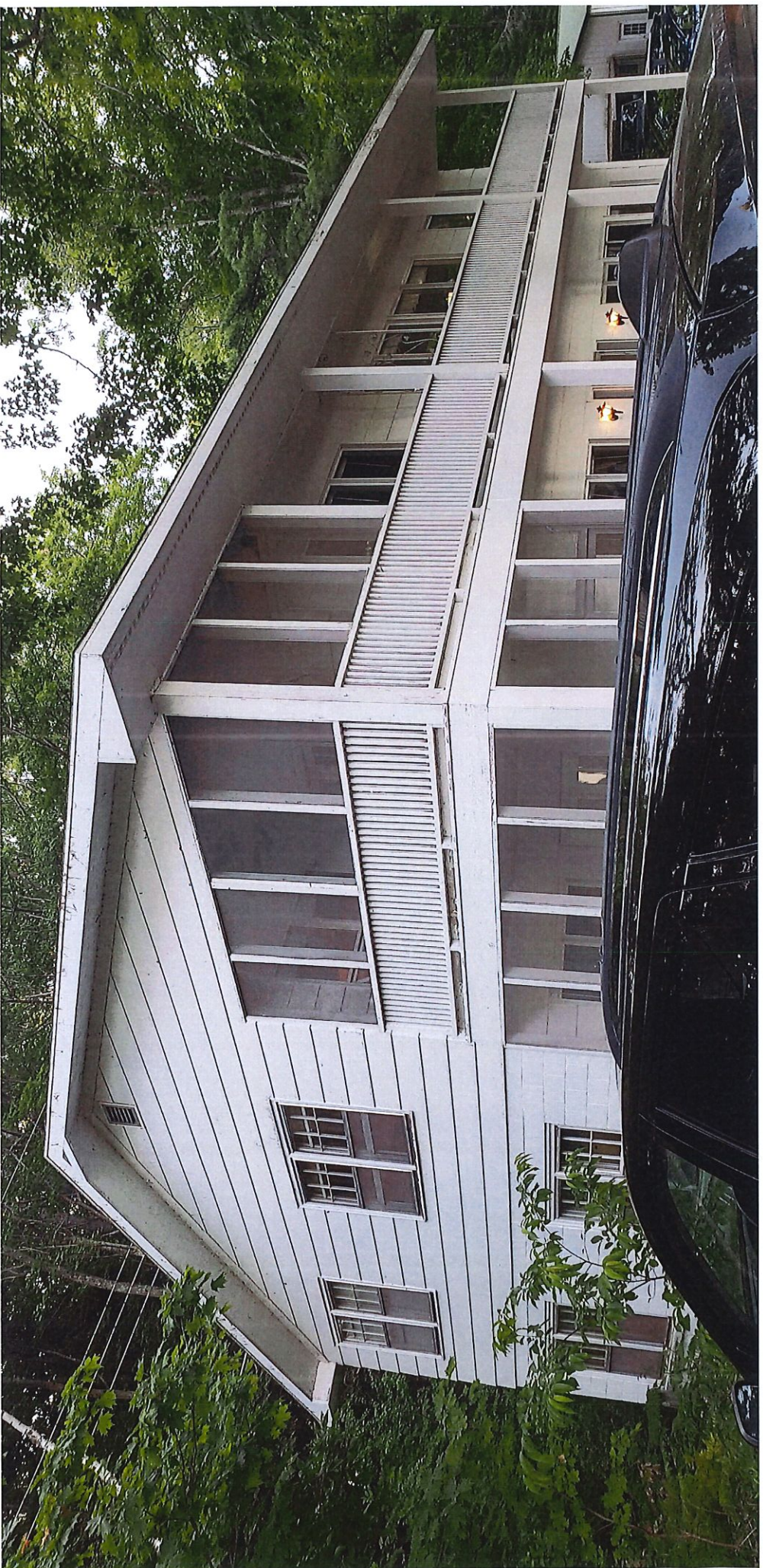












Proposed



Existing



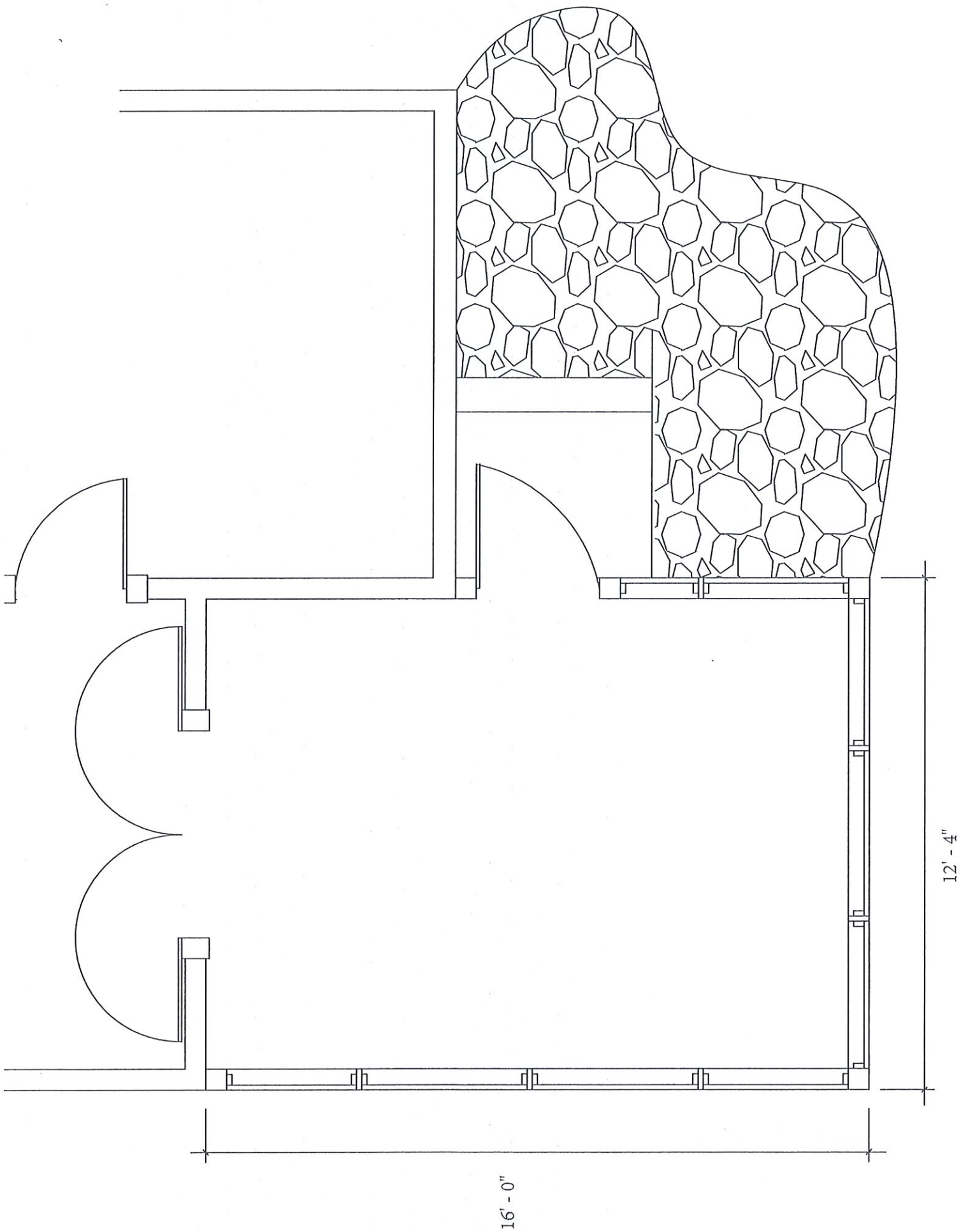


See how black windows can chang...
pinterest.com



Colonial Architecture | HGTV
hgtv.com





KENTUCKY INDIVIDUAL BUILDINGS SURVEY FORM

(KHC 2007-1)

COUNTY
RESOURCE #
EVALUATION
SHPO EVALUATION
DESTROYEDFRANKLIN
FRSF-67
N/Eligible: member of a group1. NAME OF RESOURCE (how determined)
8/Location: House, 114 Shelby Street2. ADDRESS/LOCATION
114 Shelby Street

Frankfort, KY

3. UTM REFERENCE:

Quad Name: Frankfort West

Date: 1997 / Zone: 16 / Method: C

Easting: 685980

Northing: 4229405

4. OWNER/ADDRESS:

Ruth F. Jones

114 Shelby Street, Frankfort, KY 40601

5. FIELD RECORDER/AFFILIATION:

David L. Taylor, Taylor and Taylor Associates, Inc.

6. DATE RECORDED: August 2008

7. SPONSOR: City of Frankfort and Downtown Frankfort, Inc.

8. INITIATION: 4/NR

OTHER DOCUMENTATION/RECOGNITION:

☐ Survey☐ HABS/HAER☐ KY Land☐ Local Land☐ NR☐ NHL

10. REPORT REFERENCE:

Central Frankfort Historic District Nomination (2009)

11. ORIGINAL PRIMARY FUNCTION:

01A/single dwelling

12. CURRENT PRIMARY FUNCTION:

01A/single dwelling

13. CONSTRUCTION DATE:

3/1925-19491930 (PVA)

14. DATE OF MAJOR MODIFICATIONS:

15. CONSTRUCTION METHOD/MATERIAL

W2/balloon frame

16. DIMENSIONS:

Height C/2 story Width 4 bay DepthAcreage <1 acre

17. PLAN:

/side passage

18. STYLISTIC INFLUENCE

5/1/Colonial Revival

19. FOUNDATION TYPE:

TYPE

2/continuous

MATERIAL

B/brickperiod
period

20. PRIMARY WALL MATERIAL:

1/weatherboardoriginal
replacement

21. ROOF CONFIGURATION/COVERING

CONFIGURATION

A/gable, side

COVERIN

5/asphalt shingle22. CONDITION: E/excellent-fully utilized23. MODIFICATION: 1/little or no alteration, historic fabric largely intact24. ARCHITECT/BUILDER unidentified25. PHOTOGRAPH FILE # FRSF767-01

COMMENTS/HISTORICAL INFORMATION:

2-story wood frame Colonial Revival-style side-passage house with an attached original 1-bay garage set back on the south gable end, with original hinged garage doors. Sunroom on north gable end. Fenestration flat-topped, with multi-light sash, set singly and in groups. Side gable roof with box gutters. This house and its neighbors on this side of Shelby Street were built on the site of the Frankfort Elevator Coal Company, which included a "coaling line railroad" linking the coal yard to the river, elevated tramways and several coal yards. The property does not appear in the 1932 city directory; in 1938 it is shown as the residence of Pierre Lowman, an employee of the State Highway Department.

estimated
documentedoriginal
subsequentfirst
secondfirst
second

103 West Main Street

Central Business Historic District

Bourbon on Main LLC, Owner/Applicant

Request

In accordance with Articles 4, 16, and 17 of the City of Frankfort Zoning Ordinance, Bourbon on Main LLC is requesting a Certificate of Appropriateness to construct a covered porch on the back patio for the property located at 103 West Main Street. The property is more particularly described as PVA Map Number 061-42-09-009.00.

Description of Proposal

The applicant would like to construct a detached open porch shed roof (with no walls or sides) with a metal covering over the existing rear patio which measures approximately 40'x30'. The patio is not *readily* visible from West Main Street; however, it is somewhat visible from the Capital Avenue Bridge as the property abuts the Kentucky River.

Significance of Structure

The property is contributing to the Central Frankfort National Historic District.

Guidelines - Central Business Zoning District

3.1 NEW CONSTRUCTION

2.5 ROOFS, CORNICES, AND RELATED FEATURES

3.1 NEW CONSTRUCTION

DESIGN PRINCIPLE: Over time, historic districts may evolve through new construction (additions and infill) designed to improve the functionality of an existing building, infill a vacant lot, or replace an existing building due to the loss of existing buildings through fire, weather events, or demolition. Careful consideration must be made in both cases as the introduction of substantial additions and new buildings into the district has the potential to negatively impact the fabric of the streetscape if not carefully planned for and designed. Where new construction is pursued, it should be designed in discussion with the Architectural Review Board to ensure that it respects the historic design integrity of the district and is compatible with existing architecture in setback, massing, scale, materiality, and articulation. With proper planning—which starts with an understanding of how a property fits into the larger landscape of the area and is perceived from the public right-of-way—new construction can both meet the needs of the property owner and be appropriately compatible with the character of the district.

3.1.1 LOCATE ADDITIONS WITH RESPECT TO THE HISTORIC STREETScape AND BUILDING

A. The rear elevation provides the most appropriate location for an addition in the commercial district.

D. Additions shall be designed and located so that they do not impact historic character-defining features of the original building.

E. Additions shall be designed so that they are compatible with the size, scale, setback, and massing of the original building.

F. Additions shall be designed so that they are subordinate to the height and volume of the primary mass as visible from the street.

G. Large unbroken expanses of wall surface along the public street are out of character with the district and are not appropriate. Additions that front the street shall feature articulation and window and door openings that maintain the character of the streetscape.

H. Additions shall be designed with reference to the roof shape, pitch, and complexity of the original building.

I. Additions shall be designed so that they are compatible with the character of the primary mass but so that they stand as a product of their own time. Subtle changes in material and architectural details are appropriate means for distinguishing additions from the original building.

3.1.3 DESIGN NEW CONSTRUCTION SO THAT ITS SIZE, SCALE, AND MASSING IS COMPATIBLE WITH EXISTING BUILDINGS

A. New construction shall be compatible with the range of heights and widths traditionally found in the immediate vicinity. In general, all forms and massing shall relate to the street and pedestrian.

3.1.5 EMPLOY TRADITIONAL MATERIALS OR ALTERNATIVE MATERIALS THAT ARE COMPATIBLE TO THOSE FOUND WITHIN THE AREA

A. Materials that are compatible in scale, profile, texture, and finish to those already existing in the area shall be used.

B. Materials and textures that are compatible with the surrounding area, promote a sense of human scale, and have proven durability shall be used.

2.5 ROOFS, CORNICES, AND RELATED FEATURES

DESIGN PRINCIPLE: Whether flat, gabled, hipped, or comprised of a variety of intersecting shapes, the roof shape and pitch play an important role in defining a building's massing, volume, and form. While many commercial buildings feature flat roofs that are not visible, many are also defined by features such as chimneys, cornices, brackets, cresting, and other such features that help convey the architectural style and vintage of a particular building and contribute to the rich variety of architecture within Frankfort's commercial core.

While many original roofing materials have been replaced over time, the shape, configuration, and detailing of the roof often remain as character-defining features. Emphasis is to be placed on retaining the original roof shape and pitch, as well as associated features, as changes to the roof and alterations or removal of associated features can significantly alter the character of the entire building.

2.5.4 REPLACE VISIBLE BUT DETERIORATED ROOFING MATERIALS WITH COMPATIBLE COUNTERPARTS

C. When visible, new metal roofing shall be standing seam with 15-inch wide panels at minimum. Corrugated roofing shall be prohibited when visible from the front.

Staff findings: Positive. The open porch roof will be located on the rear of the structure over an existing patio. This patio has two levels with the higher side located on the west elevation – the shape and slope of the proposed roof reflects this. While it does not reflect the roof shape of the existing structure, a gable

roof would not be appropriate on this patio due to the change in elevation because of the existing topography. The roof will be wood framed with corrugated metal roofing, which is permissible as it will not be readily visible from the front. The historic, character defining features of the original structure will not be altered as a part of this request.

Recommendation

Staff recommends approval of the Certificate of Appropriateness with the following conditions.

1. A building permit shall be obtained prior to work commencing on the proposed project.
2. Any additional projects requiring a building permit or modifications to this proposal shall require review and approval by the Architectural Review Board unless a Certificate of No Exterior Effect is issued.
3. The construction and design of the project shall adhere to the drawings contained within this report.



0 50 100 Feet



